

# DEPARTMENT OF HOMELAND SECURITY

Customs and Border Protection

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**(b) (7)(E)**

Yuma, Sector

## Other Incident Investigation Investigation Report

BPA Luis A. Aguilar  
YUM/YUS

**(b) (7)(E)**

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## CBP Staff Routing Sheet

TO:

THROUGH:

SUSPENSE DATE:

**SUBJECT**

Investigation into the line of duty death of SPA Luis A. Aguilar (YUM/YUS)

**EXECUTIVE SUMMARY:**

Purpose. On January 19, 2008, SPA Luis A. Aguilar was struck and killed by a grey Hummer H2 that was suspected of transporting smuggled narcotics, as he attempted to deploy a CTDD. A concerted bi-national effort resulted in the identification and arrest of Jesus Albino NAVARRO-Montes in Mexico. NAVARRO-Montes was released by Mexican authorities after a six month detention. NAVARRO-Montes has since been arrested in Mexico and is awaiting extradition on drug smuggling charges from a previous smuggling incident.

Discussion.

Recommendation.

### CONCURRENCES

NAME	OFFICE	ACTION <sup>1</sup>	INITIAL	DATE	COMMENTS
SOS (b) (6), (b) (7)(C)	YUM/HQ				
ACPA (b) (6), (b) (7)(C)	YUM/HQ				
ACPA (b) (6), (b) (7)(C)	YUM/HQ				
DCPA (b) (6), (b) (7)(C)	YUM/HQ				
CPA (b) (6), (b) (7)(C)	YUM/HQ				
ACPA (b) (6), (b) (7)(C)	YUM/HQ				

ORIGINATING OFFICE:

ACTION OFFICER/EXTENSION: SBPA (b) (6), (b) (7)(C)

DATE:

<sup>1</sup> Action Codes:

(b) (7)(E)



(b) (7)(E)

Yuma Sector



## INTRODUCTION

On January 19, 2008, the Yuma Sector (b) (7)(E) was activated in response to an agent death involving a vehicle incursion. This incident occurred in the Yuma Station's area of responsibility. The following report is the product of the Yuma Sector (b) (7)(E) (b) (7)(E) investigation into this matter.

The El Centro, California Federal Bureau of Investigation (FBI) Office and the Imperial County Sheriff's Office (ICSO) also responded and filed separate reports. This investigation is based upon the results of the Yuma Sector (b) (7)(E) investigation into this matter, and incorporates the findings of the FBI and ICSO.

This report is available upon approval of the Yuma Sector Chief Patrol Agent. Requests for copies of this report shall be submitted in writing to the Chief Patrol Agent at the address shown on the following page.

Subpoenas for documents and/or investigating agents of the Yuma Sector's (b) (7)(E) (b) (7)(E) should be directed to the Chief Patrol Agent, attention Office of the Assistant Chief Counsel.

### FOR OFFICIAL USE ONLY – DO NOT DISCLOSE OUTSIDE USBP/CBP/DHS

~~This report contains sensitive information compiled for law enforcement purposes including techniques and procedures for law enforcement investigations that would be compromised by disclosure or dissemination outside the U.S. Border Patrol, U.S. Customs & Border Protection, and the Department of Homeland Security. As such, this report is exempt from disclosure under the Freedom of Information Act pursuant to 5 U.S.C. 552(b)(7)(A) and (E). Further, this report includes internal pre-decisional intra-agency information that is exempt from disclosure pursuant to the deliberative process privilege and 5 U.S.C. 552(b)(5). Do not release this report outside USBP/CBP/DHS.~~

CASE AGENT:

REVIEWING SUPERVISOR:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Border Patrol Agent

Supervisory Border Patrol Agent

(b) (7)(E)

(b) (7)(E)

DATE SUBMITTED:

DATE APPROVED:



(b) (7)(E)

Yuma Sector



REVIEWED:

APPROVED:

(b) (6), (b) (7)(C)

Assistant Chief Patrol Agent  
Yuma Sector

(b) (6), (b) (7)(C)

Deputy Chief Patrol Agent  
Yuma Sector

DATE APPROVED:

DATE APPROVED:

Yuma Sector (b) (7)(E)  
(b) (7)(E)

Chief Patrol Agent:

Office:

(b) (7)(E)

Office:

4035 S. Avenue A  
Yuma, Arizona 85365

Mail:

United States Border Patrol  
Yuma Sector

Mail:

Chief Patrol Agent  
Yuma Sector  
United States Border Patrol  
4035 S. Avenue A  
Yuma, Arizona 85365

(b) (7)(E)

Phone:

(b) (7)(E)

Phone:

(928) 341-6500

Fax:

(b) (7)(E)

Fax:

(b) (6), (b) (7)(C)

Yuma Sector Counsel:

Office:

(b) (7)(E)

Mail:

Phone:

(b) (7)(E)

Fax:



(b) (7)(E)

Yuma Sector



(b) (7)(E)

## NOTIFICATION AND RESPONSE

### SUPERVISOR NOTIFIED:

NAME:

(b) (6), (b) (7)(C)

TITLE:

Supervisory Border Patrol Agent

TIME:

9:34 a.m.

DAY:

Saturday

DATE:

January 19, 2008

METHOD:

Telephonic

### REQUESTED BY:

NAME:

(b) (6), (b) (7)(C)

TITLE:

Field Operations Supervisor

DUTY STATION:

(b) (6), (b) (7)(C)

(b) (7)(E)

## SCENE-RESPONSE PERSONNEL:

Incident Supervisor

SBPA

(b) (6), (b) (7)(C)

Case Agent

SPA

(b) (7)(E)

Investigator

SPA

Investigator

SPA

Investigator

SPA

Investigator

SPA

Investigator

SPA

Investigator

A)SBPA

Investigator

SPA

Investigator

SPA

Investigator

SPA



(b) (7)(E)

Yuma Sector



**PERSONNEL ON SCENE (Investigative and Non-Investigative)**

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)
ADDITIONAL INFORMATION: Senior Patrol Agent- (b) (7)(E)		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)
ADDITIONAL INFORMATION: Senior Patrol Agent- (b) (7)(E)		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)
ADDITIONAL INFORMATION: Senior Patrol Agent- (b) (7)(E)		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)
ADDITIONAL INFORMATION: Senior Patrol Agent- (b) (7)(E)		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)
ADDITIONAL INFORMATION: Supervisory Border Patrol Agent- (b) (7)(E)		

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Border Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Border Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Border Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Supervisory Border Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Supervisory Border Patrol Agent		

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Field Operations Supervisor		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Assistant Chief Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: (b) (7)(E)		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: (b) (7)(E)		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: (b) (7)(E)		

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:

ADDITIONAL INFORMATION:  
(b) (7)(E)

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:

ADDITIONAL INFORMATION:  
(b) (7)(E)

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:

ADDITIONAL INFORMATION:  
(b) (7)(E)

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:

ADDITIONAL INFORMATION:  
(b) (7)(E) Supervisor

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:

ADDITIONAL INFORMATION:  
Acting Assistant Chief Patrol Agent

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Patrol Agent in Charge		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Senior Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Senior Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Senior Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Senior Patrol Agent		

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Senior Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Senior Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Supervisory Border Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Supervisory Border Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Supervisory Border Patrol Agent		

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Supervisory Border Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Senior Patrol Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Acting Chief Patrol Agent, El Centro Sector		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: (b) (7)(E) El Centro Sector		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: (b) (7)(E) El Centro Sector		

CODES:	(b) (7)(E)
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(b) (6), (b) (7)(C)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE:
		FAX:

ADDITIONAL INFORMATION:

(b) (7)(E) El Centro Sector

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE:
		FAX:

ADDITIONAL INFORMATION:

(b) (7)(E) Acting Supervisor, El Centro Sector

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE:
		FAX:

ADDITIONAL INFORMATION:

(b) (7)(E) Emergency Medical Technician

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE:
		FAX:

ADDITIONAL INFORMATION:

(b) (7)(E) Paramedic

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE:
		FAX:

ADDITIONAL INFORMATION:

Winterhaven Fire Department Engineer

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE:
		FAX:
ADDITIONAL INFORMATION: Winterhaven Fire Department Battalion Chief		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE:
		FAX:
ADDITIONAL INFORMATION: Imperial County Sheriff's Deputy		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE:
		FAX:
ADDITIONAL INFORMATION: Imperial County Sheriff, Lieutenant		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE:
		FAX:
ADDITIONAL INFORMATION: Imperial County Sheriff, Sergeant		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE:
		FAX:
ADDITIONAL INFORMATION: Imperial County Supervisory Deputy Coroner		

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Imperial County Scientific Investigations Supervisor		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: California Highway Patrol		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: California Highway Patrol		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: California Highway Patrol		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Bureau of Land Management Park Ranger		

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Bureau of Land Management EMT Park Ranger		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Bureau of Land Management EMT Park Ranger		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Bureau of Land Management Special Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Bureau of Land Management Chief		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: FBI Special Agent		

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: FBI Special Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: FBI Special Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: FBI Special Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: FBI Special Agent		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: ICE Special Agent		

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Responding Civilian Nurse		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Observed Hummer traveling through campground		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Located outside (b) (6), (b) (7)(C) at the time of incident		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Located at (b) (6), (b) (7)(C) at the time of incident		

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS:	PHONE: FAX:
ADDITIONAL INFORMATION: Observed driver of Hummer		

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)

ADDITIONAL INFORMATION:

Located at campsite at the time of incident

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)

ADDITIONAL INFORMATION:

In (b) (6), (b) (7)(C) at the time of incident

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)

ADDITIONAL INFORMATION:

Located at campsite at the time of incident

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)

ADDITIONAL INFORMATION:

Located at campsite at the time of incident

CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)

ADDITIONAL INFORMATION:

Owner of (b) (6), (b) (7)(C)

CODES:	(b) (7)(E)
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(b) (7)(E)

Yuma Sector



CODE: (b) (7)(E)	NAME: (b) (6), (b) (7)(C)	IDENT: (b) (6), (b) (7)(C)
	ADDRESS: (b) (6), (b) (7)(C)	PHONE: (b) (6), (b) (7)(C)
		FAX: (b) (6), (b) (7)(C)

ADDITIONAL INFORMATION:

Located inside (b) (6), (b) (7)(C) at the time of incident

CODES:

(b) (7)(E)



(b) (7)(E)

Yuma Sector



## REPORT OF INVESTIGATION

### NOTIFICATION:

On January 19, 2008, at approximately 9:34 a.m. Mountain Standard Time (MST), Field Operations Supervisor (FOS) (b) (6), (b) (7)(C) of the (b) (7)(E) Station contacted Supervisory Border Patrol Agent (SBPA) (b) (6), (b) (7)(C) of the Yuma Sector (b) (7)(E). She requested that the (b) (7)(E) be activated in response to a vehicular assault of a Border Patrol Agent. FOS (b) (6), (b) (7)(C) reported that Senior Patrol Agent Luis Aguilar (AGUILAR) had been struck by a vehicle as he attempted to deploy a Controlled Tire Deflation Device (CTDD) in front of a grey Hummer H2 suspected of transporting narcotics. FOS (b) (6), (b) (7)(C) informed him that AGUILAR's condition was critical and an air ambulance was en route to the scene. The incident occurred in an area known as the (b) (7)(E) in the Imperial Sand Dunes Recreational Area (ISDRA). This area lies within the Yuma Border Patrol Station's area of responsibility.

### SCENE LOCATION:

The incident occurred in the southern section of the ISDRA. This section of the ISDRA is located in Imperial County, in southeastern California; approximately (b) (7)(E) of Yuma, Arizona and (b) (7)(E) of the International Boundary between the United States and Mexico. The state of California lies in the Pacific Standard Time zone and Arizona lies in the Mountain Standard Time zone. In order to ensure consistency and clarity, all times listed in this report will be from the Mountain Standard Time zone. Interstate 8 (I-8) is located directly north of the (b) (7)(E) and provides access to this section of the ISDRA. The city of El Centro, California is located (b) (7)(E). The incident scene can be located by traveling westbound on I-8 from Yuma, Arizona to the (b) (7)(E) (also known as (b) (7)(E)). Take the (b) (7)(E) and travel west to the (b) (7)(E). The Global Position System (GPS) coordinates for the location of the incident were recorded as: (b) (7)(E).

### SCENE DESCRIPTION:

The ISDRA, also known as the Algodones Dunes, comprises the largest mass of sand dunes in California. The Off-Highway Vehicle (OHV) recreation areas and several campgrounds are managed by the U.S. Bureau of Land Management (BLM). This sand corridor is approximately 167,000 acres of land, covering an area more than 40 miles long and averaging 5 miles in width. The dunes reach heights of over 300 feet above the surrounding desert floor. The ISDRA is one of the most popular OHV recreation areas in the western United States, as evidenced by over 3 million visitor-use days that occur annually (BLM, 2001).



(b) (7)(E)

Yuma Sector



The incident occurred at the intersection of (b) (7)(E) roadway that commences in the east from the I-8 exit overpass. A double yellow line separates the eastbound and westbound lanes, with white fog lines on the outer edges of both lanes. The roadway surface is composed predominantly of asphalt with some sections of the road covered with sand, due to wind changes. (b) (7)(E)

(b) (7)(E)

(b) (7)(E)

intersects with

(b) (7)(E)

The (b) (7)(E) where the incident took place is regulated by a stop sign for traffic traveling east on (b) (7)(E) also present is a white stop bar on the roadway surface. A stop sign also controls northbound traffic (b) (7)(E)

(b) (7)(E)

The incident took place on the weekend preceding the Martin Luther King holiday, which is rated as one of the busiest weekends for the ISDRA. During the winter months, there are several vendors who setup mobile shops at the (b) (7)(E) to cater to the OHV enthusiasts.

The recorded environmental conditions at the time of the incident were clear and cool, with north-northeast winds blowing approximately three and a half mph. The ambient temperature was approximately 48° Fahrenheit. Visibility was reported to be approximately ten miles.

#### SCENE EXAMINATION:

On January 19, 2008, at approximately 10:30 a.m. (MST), Yuma Sector (b) (7)(E) Agents, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) arrived at the incident scene and were followed by SBPA (b) (6), (b) (7)(C) who arrived shortly thereafter. Numerous Border Patrol agents, Imperial County Sheriff's Office (ICSO) deputies, California Highway Patrol (CHP) officers, BLM agents, and Winterhaven Fire Department personnel were at the scene. Several marked and unmarked vehicles belonging to these agencies lined both lanes of travel on (b) (7)(E) which was closed to traffic.

Upon their arrival, (b) (7)(E) agents learned that that despite the efforts of his fellow agents and responding Emergency Medical Service (EMS) personnel, AGUILAR had succumbed to his injuries. After approximately 25 minutes, a responding paramedic halted resuscitation efforts



(b) (7)(E)

Yuma Sector



and AGUILAR was pronounced deceased by an emergency room physician who had been monitoring his care.

Several (b) (7)(E) Station and (b) (7)(E) Station agents were on scene, assisting with scene security. (b) (7)(E) SBPA (b) (6), (b) (7)(C) had begun to coordinate all efforts as the scene supervisor. (b) (7)(E) agents learned that the grey Hummer had struck a civilian vehicle as it fled from the scene. Both the Hummer and the red Ford pickup truck, which other members of the Impact unit were attempting to stop, had returned to Mexico west of the incident scene.

(b) (7)(E)

The El Centro FBI Office responded to initiate an investigation into the murder of a federal officer. Additional (b) (7)(E) members from the El Centro and Yuma (b) (7)(E) teams were also summoned to the scene to assist in the investigation. (b) (7)(E) Agent (b) (6), (b) (7)(C) was dispatched to the (b) (7)(E)

(b) (7)(E)

The ICSO Coroner's Office was advised of the incident and (b) (6), (b) (7)(C) Supervising Deputy Coroner, arrived on scene at approximately 10:56 a.m. The ICSO Scientific Investigations Unit was also notified and responded to the incident. During the notification phases, AGUILAR remained at the point of final rest and the medical equipment was left in place in order to preserve the integrity of the scene and facilitate the documentation and collection of all related evidence.

At approximately 11:38 a.m., FBI Agents (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) arrived on scene and were briefed by SBPA (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) met with ICSO Sergeant (b) (6), (b) (7)(C) and CHP Officer (b) (6), (b) (7)(C) and discussed the jurisdictional issues and developed an investigative plan amongst the agencies.

Officer (b) (6), (b) (7)(C) stated that the scene had been secured and cordoned off by CHP officers, along with all evidence. Officer (b) (6), (b) (7)(C) gave the investigating agents a briefing as to the known facts surrounding the incident and provided them with a walk-through of the incident scene. The following observations were made of the immediate incident scene:

(b) (7)(E) members observed a (b) (7)(E) CTDD and a (b) (7)(E) CTDD located on the ground north of (b) (7)(E)

(b) (7)(E) members observed that AGUILAR'S body had been draped with a blue blanket. AGUILAR was lying on the southwest corner of the (b) (7)(E) and appeared to be lying on his back. The area surrounding AGUILAR'S body had been cordoned off by CHP with yellow crime scene tape and agency vehicles. Officer (b) (6), (b) (7)(C) stated that AGUILAR'S duty ammunition had been strewn across the roadway, and he had secured it by placing traffic cones over it. The ammunition had been strewn across the (b) (7)(E) in an area measuring approximately thirty-one feet across. An area approximately ninety feet west of



(b) (7)(E)

Yuma Sector



AGUILAR's location had also been cordoned off to protect the integrity of the scene and any possible relevant evidence. The (b) (6), (b) (7)(C), (b) (7)(E) was parked southwest from the incident scene, and the (b) (6), (b) (7)(C), (b) (7)(E) was located south of the incident.

Approximately seven feet east of AGUILAR, striation marks were found on the roadway, spanning the (b) (7)(E). These striation marks were light colored and measured approximately twenty-five feet from their origination point. The striation marks directionally appeared to progress from east to southwest.

Surrounding the striation marks and the ammunition were several marked and unmarked vehicles belonging to the previously listed agencies. The vehicles were parked in and around the scene, due to the manner and time each officer responded to the incident. The vehicles were parked in a manner that secured the integrity of the scene evidence and established the preliminary perimeter.

Approximately nine feet west of AGUILAR were a set of vehicle tire impressions. The tire impressions found traveled off-road from the southwestern edge of the (b) (7)(E) and they appeared to lead off toward the west. The tire impressions measured approximately six feet wide, with the longest impression defined measuring approximately 117 feet in length. The tire impressions continued to the west past the marked perimeter into the ISDRA. Due to the heavy traffic from the surrounding public, (b) (7)(E)

(b) (7)(E)

The vehicle parked closest to AGUILAR belonged to the BLM EMS. The BLM vehicle was a marked, white Chevrolet pick-up truck, bearing U.S. Government license plate (b) (7)(E). The vehicle was located on the (b) (7)(E) facing north and approximately eleven feet east of AGUILAR. This vehicle was driven by BLM EMT's who responded and provided medical aid.

Two plastic air intake covers which were dislodged from the suspect vehicle were found near AGUILAR's body. The first cover was located approximately 12.5 feet northwest from AGUILAR, and the second cover was located approximately 10 feet south from AGUILAR. Both of the air intake covers were painted grey, which was consistent with witness descriptions of the suspect vehicle (See §6: pgs. 24-28 and 71-72). The air intake covers on the Hummer H2 are located on the driver and passenger side between the windshield and the hood (See §6: pgs. 114-116).

In order to protect the dignity of the deceased and maintain the integrity of the investigation, a portable shade structure was erected and draped with emergency blankets prior to the examination of AGUILAR's body. At approximately 1:30 p.m., Deputy Coroner (b) (6), (b) (7)(C) commenced the examination AGUILAR's body. SBPA (b) (6), (b) (7)(C) and ICSO Scientific Investigations Supervisor (b) (6), (b) (7)(C) photographed the scene and documented the



(b) (7)(E)

Yuma Sector



examination of AGUILAR's body. The following observations were made during the examination:

Four medical bags, a backboard and a bag valve mask were found in close proximity to AGUILAR's body. AGUILAR was lying on his back in an east-west orientation, with his head to the east. (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

AGUILAR was wearing (b) (7)(E) both of which had been cut open by responding EMS personnel. AGUILAR was wearing a black leather belt which contained an empty black plastic paddle holster. An empty double magazine pouch and a pouch containing a folding knife were also found on his belt. AGUILAR's badge and wallet containing his credentials were found in his pockets. All personal effects and USBP property belonging to AGUILAR were inventoried, secured, and turned over to the FBI.

At approximately 1:50 p.m., AGUILAR's body was placed into a removal pouch and secured with seal number (b) (7)(E). At the conclusion of the examination, El Centro Sector Chief Patrol Agent Jeffrey Calhoun draped a U.S. flag over AGUILAR's body before it was removed from the scene. AGUILAR's body was transported to the Imperial County Coroner's Facility in Brawley, California.

An examination of the roadway surface did not reveal any tire friction marks prior to or after the impact area. This fact tends to corroborate witness testimony which stated the driver of the Hummer did not brake and was in fact accelerating as he approached AGUILAR's position.

All of the evidence items were labeled with evidence markers and photographed by (b) (7)(E) agents. The entire scene was documented and measured by Yuma (b) (7)(E) agents using an (b) (7)(E) With the (b) (7)(E) data, SPA (b) (6), (b) (7)(C) was later able to draw a diagram of the incident scene (See §7: pgs. 8-10).

All of the items of evidence were collected and packaged by El Centro FBI agents. After conducting a final walk through of the incident scene (b) (7)(E) and FBI agents concluded their on-scene investigation and departed the area at approximately 10:15 p.m.

#### INVESTIGATION:

As the incident scene was being processed (b) (7)(E) and FBI agents began interviewing witnesses of the incident. Officers from several agencies including BLM and Border Patrol were used to canvass all of the campsites in the area to look for anyone who might have witnessed the incident.



(b) (7)(E)

Yuma Sector



On January 19, 2008, SA (b) (6), (b) (7)(C) and SPA (b) (6), (b) (7)(C) interviewed the subjects who had been identified as having witnessed the incident. The following is a synopsis of all the witness statements; for a complete version of each individual's statement (See § 14).

All witness statements indicated that the make and model of the vehicle that struck AGUILAR was a Hummer H2. Witness statements differ on the size of the tires, whether the vehicle was lifted or stock, and the color of the vehicle. However, most indicated that the vehicle was a champagne or sandy brown/gray color and had chrome wheels. The witnesses stated that the vehicle had turned off of Interstate 8 and was traveling (b) (7)(E) heading for the (b) (7)(E)

(b) (7)(E) Witnesses estimated that the vehicle was traveling approximately 60-80 mph at the time he struck AGUILAR.

Witness (b) (6), (b) (7)(C) was parked near the (b) (6), (b) (7)(C) at that time of the incident. She stated that AGUILAR and (b) (6), (b) (7)(C) were (b) (7)(E) and had their badges displayed as they were deploying a spike strip across the entrance to the campground. As the Hummer approached the campground entrance, (b) (6), (b) (7)(C) saw an All Terrain Vehicle (ATV) begin to cross the intersection. (b) (6), (b) (7)(C) stated that AGUILAR turned toward the ATV and yelled, "Get back! Get back!" At that time, (b) (6), (b) (7)(C) saw the driver of the Hummer's hands turn the steering wheel and swerve towards AGUILAR. Statements made by (b) (6), (b) (7)(C) and the (b) (6), (b) (7)(C) indicate that as the vehicle approached AGUILAR's position it did not attempt to stop, but instead accelerated and intentionally swerved towards AGUILAR. As AGUILAR turned back around toward the Hummer, he was struck and dragged across the intersection.

After the Hummer struck AGUILAR, the vehicle continued westbound off road. Two quads that had been sitting near the power-line pole on the dune ridge to the (b) (6), (b) (7)(C) drop down in front of the Hummer and escort it westbound. As the Hummer returned to Mexico, witness (b) (6), (b) (7)(C) stated that the vehicle collided with a suburban and knocked the side mirror off (See §11: pgs. 40-46).

Witnesses described the driver as a Hispanic male, between 35-40 years of age, weighing approximately 200 pounds, with short brown hair and closely shaven sides.

On January 21, 2008, Yuma FBI Agents (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) met with SBPA (b) (6), (b) (7)(C) at the Yuma (b) (7)(E) to interview the members of the (b) (7)(E) Station Impact Unit. SPA (b) (6), (b) (7)(C) and SPA (b) (6), (b) (7)(C) were the only Impact agents that actually witnessed the Hummer strike AGUILAR.

(b) (6), (b) (7)(C) was interviewed by SA (b) (6), (b) (7)(C) and SBPA (b) (6), (b) (7)(C). See §8: pgs. 3-8. (b) (6), (b) (7)(C) essentially stated the following:



(b) (7)(E)

Yuma Sector



(b) (6), (b) (7)(C), (b) (7)(E)

At approximately 7:00 a.m., the Impact Unit parked (b) (7)(E) a short distance southwest of (b) (7)(E)

(b) (6), (b) (7)(C), (b) (7)(E)

At approximately 9:15 a.m., (b) (6), (b) (7)(C) advised the unit of a Red Ford F-250 heading towards their direction. (b) (6), (b) (7)(C) did not see the vehicle until it was passing his location. (b) (6), (b) (7)(C) contacted (b) (6), (b) (7)(C) to advise him of the truck's location and direction of travel. (b) (6), (b) (7)(C) was parked a short distance (b) (7)(E) on I-8. Once the truck passed (b) (6), (b) (7)(C) location, he began to follow the truck. (b) (6), (b) (7)(C) then left the (b) (7)(E) in his vehicle to assist (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) and AGUILAR continued to scan the area from their location. (b) (6), (b) (7)(C), (b) (7)(E) while (b) (6), (b) (7)(C) and AGUILAR remained (b) (7)(E) AGUILAR (b) (7)(E) which was parked on the highest dune (b) (7)(E)

Shortly thereafter, (b) (6), (b) (7)(C) observed a Hummer traveling (b) (7)(E) (b) (7)(E) (b) (6), (b) (7)(C) saw the same vehicle which he described as being pewter in color, newer and possibly an H2. (b) (6), (b) (7)(C) noticed that all the windows of the vehicle were dark tinted, except for the windows on the front doors which had a lighter tint. (b) (6), (b) (7)(C) observed the driver's silhouette and did not notice any other occupants in the vehicle. The Hummer drove in the same slow and cautious manner as the truck, and used the same path to access I-8 westbound. AGUILAR used his radio to contact (b) (7)(E) USBP units to pull over the Hummer.

A (b) (7)(E) unit responded to the area while (b) (6), (b) (7)(C) maintained a view of the Hummer. Shortly after, (b) (6), (b) (7)(C) observed the Hummer make a U-turn via the median to begin driving eastbound on I-8. (b) (6), (b) (7)(C) yelled to the agents that the Hummer was "coming back" and to "get ready".

AGUILAR contacted (b) (6), (b) (7)(C) to advise of the situation and to seek authorization to deploy spikes. AGUILAR was granted permission for the deployment of the spikes. (b) (6), (b) (7)(C) and AGUILAR proceeded to the (b) (7)(E) to set up to deploy the spikes. (b) (6), (b) (7)(C) dropped the box of spikes at the (b) (7)(E) (b) (7)(E) and noticed that the Hummer was already at the I-8 (b) (7)(E) (b) (7)(E) (b) (6), (b) (7)(C) estimated that the Hummer was traveling approximately 70 to 80 mph.



(b) (7)(E)

Yuma Sector



(b) (6), (b) (7)(C) pulled the spikes out and ran across to the north edge of the road while AGUILAR pulled the other end on the south side of the road. (b) (6), (b) (7)(C) saw the chrome grill of the Hummer approaching. Upon spreading the spikes out completely he jumped half way up the chain link fence next to him. (b) (6), (b) (7)(C) turned towards the Hummer and saw a set of hands on the steering wheel veering in AGUILAR's direction. (b) (6), (b) (7)(C) also heard the engine of the Hummer accelerate and he yelled "Run Louie run!" to AGUILAR.

(b) (6), (b) (7)(C) stated that AGUILAR was positioned on the south edge of the road directly south from where the spikes were deployed. As the Hummer quickly approached, AGUILAR turned his body to face south. The Hummer hit AGUILAR and he disappeared from (b) (6), (b) (7)(C) sight. (b) (6), (b) (7)(C) began looking and calling for AGUILAR. (b) (6), (b) (7)(C) found AGUILAR's body on the southwest corner of the (b) (7)(E) lying face down in a pool of blood. (b) (6), (b) (7)(C) yelled to others to call for medical assistance and began checking AGUILAR's vital signs. (b) (6), (b) (7)(C) found AGUILAR to be unconscious and with a light pulse. (b) (6), (b) (7)(C) ran to his truck to retrieve his EMT bag and when he returned AGUILAR did not have a pulse. (b) (6), (b) (7)(C) began CPR and later a male nurse took over while (b) (6), (b) (7)(C) assisted.

A paramedic with the Bureau of Land Management arrived and relieved (b) (6), (b) (7)(C) in the resuscitation attempts. Paramedics later pronounced AGUILAR dead.

When asked to describe the Hummer's occupants, (b) (6), (b) (7)(C) stated he never saw anything more than the driver's hands on the steering wheel. (b) (6), (b) (7)(C) did not notice any license plates on the Hummer. The Hummer and the pickup truck returned to Mexico through the sand dunes.

(b) (6), (b) (7)(C) was interviewed by SA (b) (6), (b) (7)(C) and SPA (b) (6), (b) (7)(C) (See §8: pgs. 9-14). (b) (6), (b) (7)(C) essentially stated the following:

On January 18, 2008, (b) (6), (b) (7)(C) drove (b) (7)(E) (b) (7)(E) (b) (7)(E) was comprised of SBPA (b) (6), (b) (7)(C) and BPA's (b) (6), (b) (7)(C) At approximately 7:00 a.m., on January 19, 2008, the (b) (7)(E)

(b) (7)(E)

At approximately 9:15 a.m., (b) (6), (b) (7)(C) reported seeing a red F-150 pickup truck driving eastbound on the (b) (7)(E) AGUILAR stated that the vehicle (b) (7)(E) (b) (6), (b) (7)(C), (b) (7)(E) in order to get a better view of the F-150 and relay its location. (b) (6), (b) (7)(C) used this information to position his



(b) (7)(E)

Yuma Sector



IMPACT members (b) (7)(E) (b) (6), (b) (7)(C) observed the F-150 enter onto I-8 westbound (b) (7)(E).

Approximately five to eight minutes later, (b) (6), (b) (7)(C) observed a late model Hummer H2 slowly driving the same route and direction as the F-150 had taken. He observed the H2 for 30-40 seconds and then informed the rest of the Impact Unit of the H2. (b) (6), (b) (7)(C) told his team that if the vehicle turned around, they were authorized to deploy a CTDD if they felt they could do so safely.

AGUILAR instructed a (b) (7)(E) Border Patrol unit to intercept the H2. AGUILAR and (b) (6), (b) (7)(C) moved to a predetermined location to deploy the CTDD. As they were moving to their location, (b) (6), (b) (7)(C) observed the H2 turn around and head back towards the (b) (7)(E) and AGUILAR and (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C) deployed a CTDD across the road from the north shoulder of the (b) (7)(E) and AGUILAR held a second CTDD on the south side of the road. As the H2 exited I-8 (b) (6), (b) (7)(C) noticed the vehicle traveling "way too fast" and yelled at AGUILAR and (b) (6), (b) (7)(C) to get out of the way. The H2 was traveling westbound at approximately 60-70 mph and swerved towards (b) (6), (b) (7)(C) and then AGUILAR, striking AGUILAR as he tried to move out of the way. (b) (6), (b) (7)(C) stated that he could hear the H2 accelerating as it struck AGUILAR. AGUILAR went under the vehicle and was struck by the driver side rear tire. The vehicle continued to drive southwest into the desert until it could no longer be seen.

This incident happened within seven yards of the (b) (6), (b) (7)(C), (b) (7)(E). He informed (b) (6), (b) (7)(C) of what had just happened and went to help (b) (6), (b) (7)(C) render first aid to AGUILAR.

(b) (6), (b) (7)(C) interviewed the remaining members of the Impact unit later that evening and the following day (See §8: pgs. 15-26).

On January 22, 2008, SPA (b) (6), (b) (7)(C) and SBPA (b) (6), (b) (7)(C) traveled to Frye's Chapel in Brawley, California to attend AGUILAR's autopsy. Also observing the autopsy was SA (b) (6), (b) (7)(C) of the El Centro FBI Office. The autopsy was performed by (b) (6), (b) (7)(C) Forensic Pathologist. The examination commenced at approximately 10:20 a.m. Autopsy Assistant (b) (6), (b) (7)(C) were also present to assist and document the examination. (b) (6), (b) (7)(C), (b) (7)(E)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



(b) (6), (b) (7)(C)

At the conclusion of the post mortem examination at approximately 11:55 a.m. (MST), (b) (6), (b) (7)(C) listed the cause of death as multiple traumatic injuries and determined the manner of death in this case to be a homicide (See §11: pgs. 47-67).

On January 22, 2008, Mexican officials reported that Jesus Albino NAVARRO-Montes, the prime suspect of the investigation into the death of AGUILAR was in Mexican custody in Sonora, Mexico. NAVARRO-Montes was held in Mexican custody on unrelated alien smuggling charges that he was wanted for in Mexico.

On January 23, 2008, at approximately 7:45 p.m., SA (b) (6), (b) (7)(C) and SBPA (b) (6), (b) (7)(C) met with SPA (b) (6), (b) (7)(C) at the Yuma FBI Office. (b) (6), (b) (7)(C) was provided with a form entitled, (b) (7)(E) (b) (7)(E) (b) (6), (b) (7)(C) reviewed and signed the form. (b) (6), (b) (7)(C) was then shown a photo line-up containing (b) (7)(E) photographs of Hispanic males. (b) (6), (b) (7)(C) studied the photographs carefully, and then selected the photograph (b) (7)(E) stating that (b) (6), (b) (7)(C), (b) (7)(E) (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) what he recognized about the subject in the photograph and (b) (6), (b) (7)(C) responded by stating, (b) (6), (b) (7)(C), (b) (7)(E) SPA (b) (6), (b) (7)(C) circled the photograph (b) (7)(E) of Jesus NAVARRO-Montes, then dated and initialed the photograph (See § 11: pgs. 19-20).

On January 25, 2008, FBI Agents (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) interviewed BLM Seasonal Ranger / EMT (b) (6), (b) (7)(C) essentially stated the following:

(b) (6), (b) (7)(C) and his partner, (b) (6), (b) (7)(C) responded to a medical call at the (b) (7)(E) (b) (7)(E) As they were traveling (b) (6), (b) (7)(C), (b) (7)(E) saw Hummer H2 heading westbound and passing several slower moving vehicles. (b) (6), (b) (7)(C) stated that he looked directly at the driver of the Hummer as he came within 20 feet of striking their vehicle prior to swerving back into his own lane. (b) (6), (b) (7)(C) stated that he and (b) (6), (b) (7)(C) continued on to the incident scene, where they provided medical attention to AGUILAR and remained there for several hours.

(b) (6), (b) (7)(C) stated that he was aware that a suspect had been arrested by Mexican authorities and he had seen a photograph of him on the internet. (b) (6), (b) (7)(C) was shown a photographic line-up and positively identified Jesus Navarro Montes as the person driving the Hummer. (b) (6), (b) (7)(C) stated that MONTES had longer hair, a moustache, and a goatee at the time of the incident.

(b) (7)(E) members were able to locate a similar Hummer H2 at (b) (6), (b) (7)(C) located at (b) (6), (b) (7)(C) Yuma, Arizona. The management of (b) (6), (b) (7)(C) allowed (b) (7)(E) to examine and take measurements from their vehicle. On January 25, 2008, Agents (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



(b) (6), (b) (7)(C) went to the (b) (6), (b) (7)(C) and inspected a 2003 factory stock Hummer H2 at for comparative value. Stock B.F. Goodrich All Terrain T/A LT315/70R17 tires and rims were mounted on the H2, and no after-market modifications had been made to the vehicle. Measurements taken from the H2 were compared to the injuries sustained by AGUILAR. The plastic air intake covers were photographed in place and one was removed for illustrative purposes (See § 6, pgs. 114-116).

The Hummer H2 has a factory installed stock tow hitch which is located in a recess in the middle of the front bumper. The tow hitch is located approximately 25.5 inches in from either of the outer edges of the front bumper. The dimensions of the tow hitch are 3 inches by 3 inches. The front plastic bumper encases the tow hitch. The dimensions of the tow hitch recess in the plastic bumper are 5 inches by 4 inches with a slight curve inward near the bottom of the bumper.

AGUILAR's boots were measured by SBPA (b) (6), (b) (7)(C) and SPA (b) (6), (b) (7)(C) and found to add approximately 1¼ inches to his height. These dimensions correspond to the (b) (6), (b) (7)(C), (b) (7)(E) (b) (6), (b) (7)(C), (b) (7)(E) The center of the tow hitch is approximately 23 inches above the ground. This coincides with AGUILAR's (b) (6), (b) (7)(C), (b) (7)(E) which occurred 23 inches up from (b) (6), (b) (7)(C), (b) (7)(E) (See § 6, pgs. 89-92 & 108-111).

Due to the lack of tire friction marks on the roadway leading into or exiting the impact area, (b) (7)(E) (b) (7)(E) The flat profile of the Hummer's front end and its increasing velocity would have caused AGUILAR's body to remain in contact with the vehicle until he was slowed by the friction forces of the roadway and run over by the Hummer. Per the Northwestern Traffic Accident Reconstruction Manual, vehicle speeds from pedestrian fall and slide can not reliably be estimated in such cases.

Eyewitnesses indicated that the driver was accelerating as he approached AGUILAR's position. Multiple witnesses recounted seeing the driver of the Hummer's hands turn the steering wheel and swerve towards AGUILAR. Eyewitnesses estimated that the Hummer was traveling approximately 60-80 mph at the time it struck AGUILAR. The following evidence corroborates these accounts of the incident:

(b) (6), (b) (7)(C) of AGUILAR's body and the vehicle measurements indicate that AGUILAR's left thigh came into first contact with the tow hitch recess area located in the center of Hummer's front bumper.

The height of AGUILAR's (b) (7)(E) coupled with the lack of tire friction marks on the roadway surface leading into and exiting the impact site indicate that the driver of the Hummer was not engaged in any dynamic braking when AGUILAR was struck.

There is no evidence to indicate that the driver of the Hummer took any evasive actions to avoid striking and running over AGUILAR.



(b) (7)(E)



*Yuma Sector*

On June 18, 2008, Mexicali Federal Judge Laura SERRANO-Aldrete released NAVARRO-Montes from prison and cleared him of the unrelated smuggling charges. The judge released NAVARRO-Montes citing that there were no charges or extradition proceedings placed against him by the United States. The United States government was notified on June 24, 2008, of NAVARRO-Montes' release.

On February 11, 2009, Mexican federal agents rearrested NAVARRO-Montes on unspecified drug charges near the resort town of Zihuatanejo, Guerrero, Mexico. This was accomplished through a concerted bi-national effort between US and Mexican authorities. NAVARRO-Montes is currently awaiting extradition for drug smuggling charges in another incident and is still the prime suspect in the slaying of US Border Patrol Agent Luis Aguilar.

**EVIDENCE COLLECTED:**

All physical evidence was collected by the FBI.

(b) (7)(E)

Photographic documentation was captured at the scene by (b) (7)(E)  
CD-R's containing radio transmissions



(b) (7)(E)

Yuma Sector



AGENCY MEMORANDA (b) (7)(E) STATION)

Source:

(b) (6), (b) (7)(C)

Senior Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)

Arizona

(b) (6), (b) (7)(C)

Senior Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)

Arizona

(b) (6), (b) (7)(C)

Senior Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)

Arizona

(b) (6), (b) (7)(C)

Senior Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)

Arizona

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)

Arizona

(b) (6), (b) (7)(C)

Border Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)

Arizona

(b) (6), (b) (7)(C)

Border Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)

Arizona

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)

Arizona

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)

Arizona

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)

Arizona

Dated:

January 21, 2008

(Page 4)

January 21, 2008

(Page 7)

January 21, 2008

(Page 10)

January 21, 2008

(Page 12)

January 21, 2008

(Page 14)

January 29, 2008

(Page 17)

January 19, 2008

(Page 19)

January 25, 2008

(Page 21)

February 1, 2008

(Page 22)

January 22, 2008

(Page 24)



(b) (7)(E)

Yuma Sector



AGENCY MEMORANDA (b) (7)(E) STATION CONTINUED)

Source:

Dated:

(b) (6), (b) (7)(C)

Field Operations Supervisor

(b) (6), (b) (7)(C), (b) (7)(E)  
Arizona

January 19, 2008  
(Page 26)

(b) (6), (b) (7)(C)

Assistant Patrol Agent In Charge

(b) (6), (b) (7)(C), (b) (7)(E)  
Arizona

January 19, 2008  
(Page 29)

AGENCY MEMORANDA (b) (7)(E) STATION)

Source:

Dated:

(b) (6), (b) (7)(C)

Border Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 31)

(b) (6), (b) (7)(C)

Border Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 32)

(b) (6), (b) (7)(C)

Border Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 34)

(b) (6), (b) (7)(C)

Senior Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 36)

(b) (6), (b) (7)(C)

Senior Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 37)

(b) (6), (b) (7)(C)

Border Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 38)



(b) (7)(E)

Yuma Sector



AGENCY MEMORANDA (b) (7)(E) STATION CONTINUED)

Source:

Dated:

(b) (6), (b) (7)(C)

Senior Patrol Agent  
(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 39)

(b) (6), (b) (7)(C)

Senior Patrol Agent  
(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 41)

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent  
(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 44)

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent  
(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 47)

(b) (6), (b) (7)(C)

Assistant Patrol Agent In Charge  
(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 19, 2008  
(Page 49)

AGENCY MEMORANDA (b) (7)(E) STATION)

Source:

Dated:

(b) (6), (b) (7)(C)

Border Patrol Agent  
(b) (6), (b) (7)(C), (b) (7)(E)  
California

January 24, 2008  
(Page 52)



(b) (7)(E)

Yuma Sector



(b) (7)(E)



U.S. Customs and  
Border Protection

OBP YUM

January 21, 2008

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

(b) (6), (b) (7)(C)

FROM:

(b) (6), (b) (7)(C)

Senior Patrol Agent

(b) (6), (b) (7)(C), (b) (7)(E)  
Arizona

SUBJECT:

Incident Involving Senior Patrol Agent Luis Aguilar

On the evening of January 18, 2008, between 1900 and 2100 hours, I (Senior Border Patrol Agent  
(b) (6), (b) (7)(C) DOB (b) (6), (b) (7)(C) SS# (b) (6), (b) (7)(C) Address: (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) Phone# (b) (6), (b) (7)(C) received a call from (b) (6), (b) (7)(C), (b) (7)(E)

(b) (6), (b) (7)(C), (b) (7)(E)

On January 19, 2008, at 0600 hours, I entered on duty as part of the (b) (7)(E) Station IMPACT Unit. I  
(b) (7)(E)  
Senior Patrol Agents (b) (6), (b) (7)(C) and Supervisory Border  
Patrol Agent (b) (6), (b) (7)(C) were working with me as part of the IMPACT team. At approximately 0645  
hours, Agents (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), (b) (7)(E)

(b) (6), (b) (7)(C), (b) (7)(E)

At approximately 0920 hours, Senior Patrol Agent (b) (6), (b) (7)(C) observed a red Ford pick up truck  
drive eastbound along (b) (7)(E). He asked me via (b) (7)(E) if I had seen that vehicle. I replied  
that I had not. Agent (b) (6), (b) (7)(C) informed me that the vehicle was traveling at a very low rate of speed  
and that it did not have state plates on it. I obtained a visual on the vehicle as it traveled on the  
(b) (7)(E). The vehicle exited (b) (7)(E) and proceeded to travel westbound  
on Interstate 8. The vehicle was a bright red Ford pick up truck. As the Ford pick up passed my  
location on the (b) (7)(E) I began to follow it along Interstate 8. The red pick up was traveling at a



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Incident Involving Senior Patrol Agent Luis Aguilar

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low rate of speed. As I approached it, I could see that it did not have any state plates on it; instead it had dark dealer plates. I never got close enough to the red Ford pick up truck to make out what the plates said.

Approximately five minutes after I started to follow the red Ford pick up truck, I heard over my (b) (7)(E) that a light brown Hummer H-2 was passing (b) (7)(E) where my partners were and that it had followed the same route as the red Ford pick up truck. I continued to follow the red Ford pick up truck.

My partners on the (b) (7)(E) kept describing the route of travel of the Hummer on the (b) (7)(E). One of the Agents at the (b) (7)(E) said that the Hummer was turning around and going back to the (b) (7)(E). The next thing that came over the radio was that Senior Patrol Agent L. Aguilar had been struck by the fleeing Hummer and that they needed EMS immediately. I called for EMS over the service radio on the (b) (7)(E) and I informed them that there was an Agent down at the entrance of the (b) (7)(E). El Centro Sector dispatchers (b) (7)(E) acknowledged my request and informed that EMS was on its way.

I continued following the red Ford pick up truck until it made a U-turn over the median on Interstate 8 approximately one mile east of the (b) (7)(E). I proceeded to the (b) (7)(E) overpass and started to travel eastbound on Interstate 8. I was able to catch up to the red Ford pick up near the (b) (7)(E). I continued to follow the vehicle as it traveled eastbound while calling other Border Patrol Agents via service radio and informing them that the red Ford pick up was headed their way. I also alerted them that it appeared to be heading to the location where Agent L. Aguilar had been hit. As I approached the (b) (7)(E) I observed the red Ford pick up drop off of the Interstate and travel southbound through the desert. At this time I exited my vehicle for a brief moment to observe the red pick up. Marked Border Patrol Units arrived at this location. I then stepped back in my car and continued to travel eastbound towards the location of my injured partner.

I arrived on the scene and saw Supervisory Border Patrol Agent (b) (6), (b) (7)(C). He advised me that L. Aguilar was in bad shape. I observed as rescue personnel performed CPR on Agent L. Aguilar. Agent Aguilar was lying on the west side of the entrance (b) (7)(E). I continued observing as the paramedics and EMTs tried to resuscitate Agent L. Aguilar. Approximately ten (10) minutes later, the highest ranking officer of the paramedics pronounced Senior Patrol Agent L. Aguilar deceased. I stayed close to my partner's body until crime scene investigators sealed off the scene. I then waited, along the rest of the IMPACT Unit members, until the body of Senior Patrol Agent L. Aguilar was taken.

I asked my partners what had happened. Senior Patrol Agent (b) (6), (b) (7)(C) told me that Senior Patrol Agents (b) (6), (b) (7)(C) and Aguilar were trying to deploy a spike strip when the Hummer H2 stuck Aguilar. He stated that the vehicle had avoided the spikes and headed straight for L. Aguilar. Senior Patrol Agent (b) (6), (b) (7)(C) told me that Agent L. Aguilar had been struck and then run over by the Hummer. He said that Aguilar had a very weak pulse when he got to him, but that he never obtained a pulse afterwards.



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent

Page 3

Subject: Incident Involving Senior Patrol Agent Luis Aguilar

I never saw the Hummer H2. I believe that the red Ford pick up truck was an F-250. It was a newer model and it had extended side view mirrors with double bars on them. The pick up truck had a silver tag on each side on the upper part of the front fender. It also had dark dealer plates with light letters on it. The windows had black limo tinting and I was never able to obtain a visual of the driver.

I entered on duty to the Border Patrol on (b) (6), (b) (7)(C) I am currently assigned to the (b) (7)(E) Station IMPACT Unit.



(b) (7)(E)

Yuma Sector



(b) (7)(E)



U.S. Customs and  
Border Protection

OBP YUM

January 21, 2008

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

FROM:

(b) (6), (b) (7)(C)

Senior Patrol Agent  
Arizona

(b) (6), (b) (7)(C)

SUBJECT:

Incident Involving SPA Luis Aguilar

My EOD in the U.S. Border Patrol is (b) (6), (b) (7)(C). My Social Security number is (b) (6), (b) (7)(C).  
(b) (6), (b) (7)(C) I am a (b) (6), (b) (7)(C). My call sign is (b) (6), (b) (7)(C). My DOB is (b) (6), (b) (7)(C). I am a Yuma Sector  
nationally certified EMT. My phone number is (b) (6), (b) (7)(C). My address is (b) (6), (b) (7)(C).  
(b) (6), (b) (7)(C)

On January 19, 2008 while assigned to the Yuma Station IMPACT Unit, I was assigned to work  
an overtime day at the (b) (7)(E). I was working (b) (7)(E) and my  
shift started at (b) (7)(E) hrs. That day I arrived at (b) (7)(E) Station at approximately 0545  
hrs and proceeded to get my assigned vehicle, a (b) (7)(E) ready, for the (b) (7)(E) shift. At  
approximately 0600hrs SPA (b) (6), (b) (7)(C) advised me that he had (b) (7)(E).

(b) (7)(E)

At Approximately 0700 hrs the IMPACT Unit (b) (7)(E)

(b) (7)(E)

(b) (7)(E) was myself, SBPA (b) (6), (b) (7)(C) SPA (b) (6), (b) (7)(C) and SPA L. Aguilar. (b) (7)(E)

(b) (7)(E)

SPA (b) (6), (b) (7)(C) was stationed at the (b) (7)(E) just west of the

(b) (6), (b) (7)(C), (b) (7)(E)

(b) (7)(E)

SPA (b) (6), (b) (7)(C) was our furthest West

unit. He was parked at (b) (7)(E)

SPA (b) (6), (b) (7)(C) was west (b) (7)(E)

(b) (7)(E)

At approximately 0915 hrs SBPA (b) (6), (b) (7)(C) noticed a Red Ford F-250 traveling eastbound on the



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Incident Involving SPA L. Aguilar

Page 2

(b) (7)(E). The vehicle caught his attention (b) (7)(E)  
(b) (7)(E) The vehicle was  
driving extremely slow, (b) (7)(E)  
(b) (7)(E) The vehicle had only one visible occupant and had smoked black windows. The vehicle  
had no license plates it was bearing a dealer advertisement most commonly seen in California  
when one purchases a new car. The Red Ford F-250 continued to travel eastbound along the  
(b) (7)(E) I proceeded to contact SPA (b) (6), (b) (7)(C) via my assigned Government (b) (7)(E)  
radio that a Red Ford F-250 was traveling on the onramp bridge to Interstate 8. SPA (b) (6), (b) (7)(C)  
took over visual of that vehicle and began to follow it in his (b) (7)(E)  
Approximately 2-4 minutes later SBPA (b) (6), (b) (7)(C) got in his (b) (7)(E)  
(b) (7)(E) and proceeded to go westbound on Interstate 8.

Approximately 2-4 minutes after SBPA (b) (6), (b) (7)(C) left (b) (7)(E) to assist our fellow  
partners with that Red Ford F-250 SPA (b) (6), (b) (7)(C) stated he noticed a Pewter in color Hummer  
traveling eastbound on (b) (7)(E) while standing (b) (7)(E)  
SPA (b) (6), (b) (7)(C) told me and SPA L. Aguilar that he suspected that vehicle was also carrying  
(b) (7)(E) (Drugs). I observed the same Pewter Hummer which appeared to be an H-2. and noticed it  
was following the same path as the Red Ford F-250. There was only one visible occupant, in the  
Hummer. The rear windows of this vehicle were smoked black, but the front two windows were  
not tinted very dark. The Hummer was driving extremely slow as he passed us and as he was on  
the onramp bridge to Interstate 8. SPA L. Aguilar proceeded to get on the (b) (7)(E)  
and request a marked Border Patrol Unit to stop the vehicle. A (b) (7)(E) unit stated he was close  
by and would check it out for us. The Hummer was driving so slow that it gave enough time for  
the (b) (7)(E) Border Patrol Unit to catch up. As the (b) (7)(E) unit was half way over the onramp  
bridge to Interstate 8 the Hummer turned around before the (b) (7)(E) through the median and  
began to travel back eastbound at a high rate of speed. SPA (b) (6), (b) (7)(C) notified SPA L. Aguilar  
and I that the Hummer turned around and was coming back our way. SPA L. Aguilar notified  
SBPA (b) (6), (b) (7)(C) of the Hummer's activities and requested permission to deploy a controlled tire  
deflation device to try and stop the vehicle from returning to Mexico, SBPA (b) (6), (b) (7)(C) replied "  
Spike if it is safe to do so". At that time there was no traffic entering the (b) (7)(E) so I  
grabbed my vehicle's assigned set of spikes and started to run towards the (b) (7)(E) of the

(b) (7)(E)

SPA L. Aguilar was running behind me. As I got to the (b) (7)(E) just east of the stop sign I  
dropped the spikes and opened the container the spikes were in I looked up and could see the  
Hummer exiting onto (b) (7)(E). SPA L. Aguilar told me "Pull the spikes bro, pull the  
spikes". I began to pull the spikes across the road and when I pulled them all the way across I  
looked up and all I could see was the chrome grille of the Hummer barreling down the road at a  
high speed. I could not run across the road anymore because it was too late. So, I jumped half  
way up the chain link fence and as I jumped on the fence, I look backed to see where the vehicle  
was and I could see the vehicle going left towards SPA L. Aguilar, I then yelled "RUN LUIS  
RUN". I then saw SPA L. Aguilar attempt to move but it was too late. The Hummer sped  
towards SPA L. Aguilar and hit him before he even had a chance to move. I jumped off the fence  
and began screaming " Luis, Luis, Luis". I went to the bush that I last saw him at and he was not  
there I was screaming his name at the top of my lungs I then looked to the east and there was  
SPA L. Aguilar laying face down in a pool of blood. I ran to him and was screaming at all the



(b) (7)(E)



*Yuma Sector*

Memorandum for Chief Patrol Agent  
Subject: Incident Involving SPA L. Aguilar

Page 3

bystanders to call 911 and tell them an agent was down, I was also screaming at SPA (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) to call our dispatch and request an immediate Medevac. As I got to SPA L. Aguilar's body I checked for a pulse and he had a weak pulse. I told him "hold on brother im going to take care of you" I then ran to get my assigned medical bag in my vehicle. When I got back to SPA L. Aguilar I checked his pulse again and I could not feel one so I immediately started to begin resuscitation when a civilian nurse came up and told me he was a nurse and he took over primary care for him and I assisted the civilian nurse until paramedics arrived. CPR was performed on SPA L. Aguilar for approximately over thirty minutes. He was pronounced dead on the scene. I was too distraught to remember the time of death.

All I saw of the Hummer was its chrome front grille. I did not get a visual of any drivers or passengers, if any.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

U.S. Customs and  
Border Protection



OBP YUM

January 21, 20080

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

FROM: (b) (6), (b) (7)(C)  
Senior Patrol Agent (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) Arizona

SUBJECT: Incident Involving SPA Luis Aguilar

My name is SPA (b) (6), (b) (7)(C) and I have been in the Border Patrol since (b) (6), (b) (7)(C). I am currently a (b) (6), (b) (7)(C) and my social security number is (b) (6), (b) (7)(C). My date of birth is (b) (6), (b) (7)(C). I can be reach at (b) (6), (b) (7)(C). My telephone numbers are (b) (6), (b) (7)(C) [home] or (b) (6), (b) (7)(C) [cell]. On Saturday January 19, 2008 I was assigned by the supervisor of the IMPACT unit SBPA (b) (6), (b) (7)(C) to work in the (b) (7)(E) California Area of operations. The unit was going to work a (b) (7)(E) hours to (b) (7)(E) hours shift (b) (7)(E).

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

At approximately 0600 hours the IMPACT Unit briefed in the station and we were told that SPA (b) (6), (b) (7)(C) received information from (b) (7)(E).

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E) Everybody in the IMPACT Unit [ Agents (b) (6), (b) (7)(C) L. Aguilar, (b) (6), (b) (7)(C) and myself] got the area at approximately 0630 or 0640 hours and began normal operations (b) (7)(E).

(b) (6), (b) (7)(C) and L. Aguilar were (b) (7)(E) Agents (b) (6), (b) (7)(C).

(b) (7)(E)

(b) (6), (b) (7)(C), (b) (7)(E)



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Subject line is no longer underlined

Page 2

At approximately 0915 hours Agent (b) (6), (b) (7)(C) described a Ford F-250 or F-350 red in color that was traveling slowly eastbound on the (b) (7)(E) with (b) (7)(E) (b) (7)(E). The vehicle continued towards the off ramp heading westbound towards (b) (7)(E) at that moment SBPA (b) (6), (b) (7)(C) asked a (b) (7)(E) Border Patrol Unit (b) (7)(E) located close to the area called (b) (7)(E) if he had seen a vehicle matching that description go through his location and the agent stated that he did not.

This fact got Agent (b) (6), (b) (7)(C) attention due to the fact that normally all the vehicles coming from (b) (7)(E) (b) (7)(E) Agent (b) (6), (b) (7)(C) left the (b) (7)(E) and started following the vehicle westbound on I-8 in an (b) (7)(E) (b) (7)(E) radioing every move that the vehicle made. I began looking for a place to deploy Controlled Tire Deflation Device [CTDD] just in case the vehicle failed to yield in the area between (b) (7)(E) (b) (7)(E) on Interstate 8. Approximately 3 to 5 minutes later Agent (b) (6), (b) (7)(C) described another vehicle following the same route and same demeanor as the red Ford F-250 only this time the vehicle was a silver or brown newer model Hummer H-2. I heard Agent (b) (6), (b) (7)(C) say the Hummer was possibly loaded and that it was heading towards I-8 westbound. At that moment I started to head eastbound on I-8 trying to reach the area. A few seconds later I heard Agent (b) (6), (b) (7)(C) say that the vehicle was turning around and that it was coming back towards their direction. Shortly thereafter I heard SBPA (b) (6), (b) (7)(C) say to deploy CTDD safely if possible. Almost immediately after that I heard Agent (b) (6), (b) (7)(C) say that the vehicle was close and heard him yelling to the agents to get out of the way.

A few seconds later I heard him say that there was an officer down and that the vehicle described as the silver Hummer H-2 had run over Agent Luis Aguilar while he was trying to deploy CTDD near the (b) (7)(E). At that moment I kept going eastbound on I-8 and saw the vehicle described traveling westbound on the (b) (7)(E) at a high rate of speed at the area known as (b) (7)(E). The vehicle was to the best of my recollection a four door Hummer H-2 newer model silver with a tanish shade with chrome wheels. I kept going eastbound eventually reaching the (b) (7)(E). When I got to the scene Agent Aguilar's body was on the ground and there was medical personnel giving CPR to Agent Aguilar. I deployed CTDD a little bit west on the (b) (7)(E) and started to get the other duners out of harm's way just in case the red F-250 decided to exit in the same manner. I kept listening to radio traffic and heard that the Hummer H-2 had returned to Mexico through the desert. Shortly after I heard Agent (b) (6), (b) (7)(C) say that the Ford-F-250 had gone through a gap in the barriers located close to Interstate 8 and returned to Mexico.



(b) (7)(E)

Yuma Sector



(b) (7)(E)



U.S. Customs and  
Border Protection

OBP YUM

January 21, 2008

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

FROM: (b) (6), (b) (7)(C)  
Senior Patrol Agent  
(b) (6), (b) (7)(C) Arizona

SUBJECT: Incident Involving SPA Luis Aguilar

My name is (b) (6), (b) (7)(C), (b) (7)(E) DOB (b) (6), (b) (7)(C) SSN (b) (6), (b) (7)(C). I currently work for the United States Border Patrol at the (b) (6), (b) (7)(C) Station (b) (6), (b) (7)(C) Arizona. EOD (b) (6), (b) (7)(C) I am a GS (b) (6), (b) (7)(C). On January 19, 2008, I entered on duty at (b) (7)(E) hours and I went to work (b) (7)(E) with the (b) (7)(E) Station IMPACT Unit in the general area of the (b) (7)(E). The agents that were working with me were (b) (6), (b) (7)(C) SPA L. Aguilar, and SPA (b) (6), (b) (7)(C).

At approximately 0700 hours Agent L. Aguilar, SBPA (b) (6), (b) (7)(C), (b) (7)(E)

(b) (7)(E)

At approximately 0915 hour SBPA (b) (6), (b) (7)(C) observed a red F-150 with (b) (7)(E) and a single occupant. L. Aguilar also noticed that the (b) (7)(E) which indicated that (b) (7)(E) and told SBPA (b) (6), (b) (7)(C) that the red F-150 was getting on the off ramp and was heading westbound towards the nearby (b) (7)(E) which is located just north of the Imperial Valley Sand Dunes. SBPA (b) (6), (b) (7)(C) notified SPA (b) (6), (b) (7)(C) via (b) (7)(E) and to follow the F-150. SPA (b) (6), (b) (7)(C) notified SBPA (b) (6), (b) (7)(C) via (b) (7)(E) that he had spotted the truck on the interstate and that he was going to follow it. At that time SBPA (b) (6), (b) (7)(C) got in his (b) (7)(E) and proceeded to the interstate to back up Agent (b) (6), (b) (7)(C).

Agent L. Aguilar, Agent (b) (6), (b) (7)(C) and I stayed back (b) (7)(E) just in case the red F-150 turned around. Minutes later, (b) (7)(E) observed a newer model gray



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Subject line no longer underlined

Page 2

Hummer with tinted windows and a single occupant travel east on (b) (7)(E) (b) (7)(E) (b) (7)(E). I notified Agent L. Aguilar and Agent (b) (6), (b) (7)(C) of the Hummer and told them to notify the (b) (7)(E) Agents via radio. While I was telling them what to do, I saw the gray Hummer travel very slow and get on the (b) (7)(E) to go west towards (b) (7)(E). Seconds later I notified SBPA (b) (6), (b) (7)(C) via (b) (7)(E) that we had a gray Hummer traveling westbound on the interstate. SBPA (b) (6), (b) (7)(C) told me via (b) (7)(E) that if the Hummer turns around, and if it was safe to spike, then to spike it to prevent the vehicle going back to Mexico.

While SPA L. Aguilar was notifying the (b) (7)(E) Agents via radio, we observed a (b) (7)(E) mark unit going by (b) (7)(E) and not too far west of the gray Hummer. I saw that the mark unit proceeded to the (b) (7)(E) in an attempt to catch up to the gray Hummer. As I told SPA (b) (6), (b) (7)(C) and SPA L. Aguilar that the Hummer was on the interstate and traveling west, they ran to the location where they were going to set up with the spikes. While they were setting up I notified them that the Hummer was turning around in the median and that it was coming our way. I saw Agent (b) (6), (b) (7)(C) pulling the spike strip across the road and Agent L. Aguilar holding the spikes from one side. As they were setting up, I yelled at them to get out of the way because the Hummer was coming way too fast and exiting the interstate.

I could see Agent (b) (6), (b) (7)(C) still on the road. I yelled at him to move and also told Agents (b) (6), (b) (7)(C) and L. Aguilar to move via (b) (7)(E). While the Hummer was traveling west on (b) (7)(E) I could see both Agents still on the road. Agent (b) (6), (b) (7)(C) was on the north side of the road and Agent L. Aguilar was on the south side of the road. At that time I saw the Hummer coming very fast and with no intentions of stopping. I saw Agent (b) (6), (b) (7)(C) attempt to get out of the way, but he couldn't because there was a fence on his side. Then I saw Agent L. Aguilar on the road just (b) (7)(E) that is located on the (b) (7)(E) (b) (7)(E). I saw the Hummer heading straight for Agent L. Aguilar and I yelled at him to move out of the way, but it was too late. The driver of the Hummer accelerated more when he struck the agent and didn't stop at all while he was running over him. The Hummer continued west in the dunes and I lost sight of it. I immediately notified SBPA (b) (6), (b) (7)(C) of the incident via (b) (7)(E) and I immediately responded to help and stop vehicles from running over Agent L. Aguilar. I saw Agent (b) (6), (b) (7)(C) immediately render aid to Agent L. Aguilar, and a civilian also stopped to render help.

From my observation point I could only see one occupant in the vehicle. I could see a male Hispanic driver with short hair and possibly a mustache.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

U.S. Customs and  
Border Protection

OBP YUM

January 21, 2008

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

FROM:

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent  
(b) (6), (b) (7)(C) Arizona

SUBJECT:

Incident Involving Senior Patrol Agent Luis Aguilar

I am currently assigned to the (b) (6), (b) (7)(C) Border Patrol Station. I have been a Border Patrol Agent since (b) (6), (b) (7)(C). Prior to that I was an (b) (6), (b) (7)(C). I am assigned as the Supervisory Border Patrol Agent (SBPA) of the IMPACT Unit. My date of birth is (b) (6), (b) (7)(C). My social security number is (b) (6), (b) (7)(C). My phone numbers are (b) (6), (b) (7)(C) and (b) (7)(E).

(b) (6), (b) (7)(C), (b) (7)(E)

On January 19, 2008 we began our shift at (b) (7)(E) hours. I arrived to (b) (7)(E) Station (b) (7)(E) and meet with all the IMPACT agents at the (b) (7)(E). All IMPACT unit agents were present. During briefing Senior Patrol Agent (SPA) (b) (6), (b) (7)(C) informed me that on the previous night he

(b) (6), (b) (7)(C), (b) (7)(E)

When I arrived at approximately 0710 hours I drove over to the (b) (7)(E) to meet SBPA (b) (6), (b) (7)(C) of the (b) (7)(E) Border Patrol station. I was driving my assigned (b) (7)(E). When I met with SBPA (b) (6), (b) (7)(C) advised him that the (b) (7)(E) IMPACT unit would be working in our (b) (7)(E) area of operations and since this bordered (b) (7)(E) of operations, I wanted them to know we were there in case something drove from our (b) (7)(E) to their (b) (7)(E) or vice versa. I further informed SBPA (b) (6), (b) (7)(C) that we had information that (b) (7)(E). I also asked SBPA (b) (6), (b) (7)(C) to contact the (b) (7)(E) unit Supervisor to ask him to (b) (7)(E) (b) (7)(E) since we were parked there already and



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Incident Involving Senior Patrol Agent Luis Aguilar

Page 2

(b) (7)(E) At about 0730 hours I returned to the (b) (7)(E)

At the (b) (7)(E) area, SPA's (b) (6), (b) (7)(C) and Luis Aguilar were already (b) (7)(E)

(b) (7)(E) We were situated about 20 yards west (b) (7)(E) where we were located (b) (7)(E) consisted of (b) (7)(E) Prior to my arrival, (b) (7)(E)

(b) (7)(E)  
(b) (7)(E) SPA (b) (6), (b) (7)(C) was (b) (7)(E) Agent (b) (6), (b) (7)(C) was a (b) (7)(E)

(b) (7)(E)  
(b) (7)(E) Traffic was very light around those hours. At about 0920 hours, I saw a vehicle traveling eastbound on the (b) (7)(E) (b) (7)(E) The vehicle appeared to be a red Ford F-150 quad cab with street tires. As soon as I saw it, I told Agents (b) (6), (b) (7)(C) and Luis Aguilar something to the effect of, where did that F-150 come from. We all got up and began to look at the vehicle as it continued eastbound on the (b) (7)(E). Agent (b) (6), (b) (7)(C) stated that it did not have a license plate. At that moment, I observed that it did not bear a license plate but appeared to be a license plate advertising a dealer. The windows were also extremely tinted. The speed of the vehicle was very slow which was not normal on this roadway. Agent Luis Aguilar said (b) (7)(E) (b) (7)(E) I noticed that the pick up truck was (b) (7)(E) (b) (7)(E) At this time I advised Agent (b) (6), (b) (7)(C) and informed him (b) (7)(E) As the vehicle continued eastbound (b) (7)(E) I contacted (b) (7)(E) agents on their frequency and asked the unit located at the (b) (7)(E) if he had observed a red Ford pick up leave the (b) (7)(E) and drive eastbound on the (b) (7)(E) The (b) (7)(E) agent replied negative. I asked again to confirm and he replied negative again.

After I contacted the (b) (7)(E) agent, I could see that the Ford F-150 was driving on the (b) (7)(E) (b) (7)(E) on I-8. The vehicle was still driving at an unusually slow rate of speed. I informed Agent (b) (6), (b) (7)(C) to follow the vehicle once it passed his location (b) (7)(E) on I-8 westbound. After waiting several minutes for the vehicle to get further along I-8, I stepped into my assigned vehicle and drove onto I-8 westbound to assist in following the vehicle.

While driving to catch up to Agent (b) (6), (b) (7)(C) I contacted (b) (7)(E) agents to inform them of our observations. (b) (7)(E)

(b) (7)(E) As I was traveling westbound on I-8, Agent (b) (6), (b) (7)(C) advised us that a brown Hummer was coming eastbound on the (b) (7)(E), driving the same route and speed as the red F-150. Agent (b) (6), (b) (7)(C) began to call out the location and direction of travel of the brown Hummer. While I was still driving westbound, Agent Luis Aguilar contacted (b) (7)(E) agents via their frequency and advised that a second vehicle was coming out. Agent (b) (6), (b) (7)(C) then called out that the brown Hummer was driving onto I-8 westbound. Agent (b) (6), (b) (7)(C) then called out that the brown Hummer made a U-turn in the middle of



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Incident Involving Senior Patrol Agent Luis Aguilar

Page 3

the median just east of the rest area. Agent (b) (6), (b) (7)(C) said something to the effect that the Brown Hummer appeared to be attempting to return to Mexico. At this time I advised Agents (b) (6), (b) (7)(C) and Luis Aguilar that if it was safe to deploy a controlled tire deflation device that they may do so. As I passed the (b) (7)(E) I could hear Agent (b) (6), (b) (7)(C) tell Agents (b) (6), (b) (7)(C) and Luis Aguilar to move out of the way. The next transmission was that the Hummer had run over Agent Luis Aguilar and Agent (b) (6), (b) (7)(C) was requesting EMS. Agent (b) (6), (b) (7)(C) immediately contacted (b) (7)(E) and requested EMS. Agent (b) (6), (b) (7)(C) advised them that an agent was down. I immediately made a U-turn and drove back toward the (b) (7)(E). I then contacted Agent (b) (6), (b) (7)(C) and asked if Agent Aguilar was O.K. and Agent (b) (6), (b) (7)(C) replied that he was not O.K. At that time I contacted Field Operations Supervisor (FOS) (b) (6), (b) (7)(C) and informed him of the situation briefly.

When I arrived at the (b) (7)(E) I parked my assigned vehicle at the southeast corner (b) (7)(E) (b) (7)(E). I stepped out of my vehicle and saw two civilians administering CPR on Senior Patrol Agent Luis Aguilar. Agent (b) (6), (b) (7)(C) came up to me and in a very distressed manner told me something to effect that Luis had been run over by the brown Hummer. After seeing this, I again contacted FOS (b) (6), (b) (7)(C) of the situation. I also informed him that I was advised by an unknown person that Agent Aguilar's pupil were dilated, he had no pulse and that he was gravely injured. I relayed that information to FOS (b) (6), (b) (7)(C).

After speaking with FOS (b) (6), (b) (7)(C) Senior Patrol Agent (b) (6), (b) (7)(C) from (b) (7)(E) Border Patrol station advised me that the Red Ford F-150 was returning toward the (b) (7)(E). The F-150 was traveling eastbound on I-8 and agents believed it was going to return back to Mexico through the (b) (7)(E). I immediately placed several vehicles in a blocking position around SPA Luis Aguilar and the individuals administering first aid to him. I told Agent (b) (6), (b) (7)(C) to retrieve his long arm and set up another set of CTDD with the assistance of SPA (b) (6), (b) (7)(C). The F-150 never came back to (b) (7)(E) and was reported as returning back to Mexico through a small breach in the vehicle barriers located near (b) (7)(E).

At that time I attempted to secure the scene for evidence as best as possible while first aid was still being administered to Agent Luis Aguilar. At 0956 hours an EMT from (b) (7)(E) informed me that Agent Aguilar had been pronounced dead on scene. I contacted FOS (b) (6), (b) (7)(C) and advised him and gave him the name of the EMT. Shortly thereafter, I turned over the scene to SBPA (b) (6), (b) (7)(C) from (b) (7)(E) Station.

At no point was I able to observe any occupants in the Ford F-150.



(b) (7)(E)

Yuma Sector



(b) (7)(E)



U.S. Customs and  
Border Protection

OBP YUM

January 29, 2008

MEMORANDUM FOR: PATROL AGENT IN CHARGE  
YUMA, ARIZONA

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent

(b) (6), (b) (7)(C) Arizona

SUBJECT:

Involvement in Incident on 01/19/2008

On January 19, 2008, I was assigned to (b) (7)(E) Area of Operations. After I was relieved from my position, I heard radio traffic concerning an agent down in the area of the (b) (7)(E) on Interstate 8. I then proceeded to the (b) (7)(E) When I arrived on scene, Emergency Medical Services from (b) (7)(E) Winterhaven, California Fire, and several other agencies had already arrived. While on scene, I was asked by Field Operations Supervisor (b) (6), (b) (7)(C) to scribe notes on individuals that were at the scene of the incident. At approximately 12:30 P.M. I was relieved of my scribe duties by Border Patrol Agent (b) (6), (b) (7)(C). The following list comprises the individuals and agencies that I encountered on scene.

Border Patrol Agents:

FOS (b) (6), (b) (7)(C)

SBPA (b) (6), (b) (7)(C)

SBPA (b) (6), (b) (7)(C)

SBPA (b) (6), (b) (7)(C)

BPA (b) (6), (b) (7)(C)

BPA

BPA

BPA

BPA

(b) (6), (b) (7)(C), (b) (7)(E)

(b) (7)(E)

Bureau of Land Management:

Supervisor (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C), (b) (7)(E)



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent

Page 2

California Highway Patrol:

Lead Investigator (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (taking measurements)

(b) (6), (b) (7)(C)

Imperial County Sherriff's Office:

Sergeant (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Winterhaven Fire:

(b) (6), (b) (7)(C)

(b) (7)(E)

EMT (b) (6), (b) (7)(C)

Medic (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



(b) (7)(E)



U.S. Customs and  
Border Protection

OBP YUM

January 18, 2008

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

FROM:

(b) (6), (b) (7)(C)  
Border Patrol Agent  
(b) (6), (b) (7)(C) Arizona

SUBJECT: Time Line

At approximately 0928 hours, on January 18, 2008, I responded to a radio call about a drive through vehicle in the (b) (7)(E) area of operations. As I was responding, another radio call at 0930 hours, came from Border Patrol Agent (b) (6), (b) (7)(C) and it was in reference to an Agent who was "down". I arrived to his location approximately a minute later, which was at the (b) (7)(E)

(b) (7)(E) As I exited my vehicle, I saw that Senior Border Patrol Agent Luis Aguilar was lying on his back with the Bureau of Land Management Emergency Medical Team giving him CPR. The BLM EMT's were also being assisted at the scene by a witness/male nurse, (b) (6), (b) (7)(C) (DOB (b) (6), (b) (7)(C) Agent (b) (6), (b) (7)(C) asked me to secure Agent Aguilar's pistol and cell-phone in my vehicle. At approximately 0932 hours, I called Yuma Sector Radio Communications in order to ask for Life-Flight. At approximately 0945 hours, a Yuma (b) (7)(E) ambulance arrived on scene.

0958 hours – Time of Death – called by (b) (7)(E) EMT's (b) (6), (b) (7)(C)

1030 hours – (b) (6), (b) (7)(C) (BLM Special Agent) arrived on scene

1045 hours – PAIC (b) (6), (b) (7)(C) arrived on scene

1045 hours – (b) (6), (b) (7)(C) (BLM Agent) arrived on scene

1050 hours – (b) (6), (b) (7)(C) Imperial County Sheriff's Officer) on scene

1055 hours – (b) (6), (b) (7)(C) (SBPA) and (b) (6), (b) (7)(C) (SBPA) arrived on scene

1105 hours – (b) (6), (b) (7)(C) (ICSO Coroner) arrived on scene

1110 hours – (b) (6), (b) (7)(C) (SBPA) arrived on scene

1113 hours – (b) (6), (b) (7)(C) (ACPA) arrived on scene

1120 hours – (b) (6), (b) (7)(C) (El Centro (b) (7)(E) arrived on scene

1120 hours – (b) (6), (b) (7)(C) (ICE Special Agent) arrived on scene

1122 hours – (b) (6), (b) (7)(C) (Yuma (b) (7)(E) arrived on scene

1138 hours – (b) (6), (b) (7)(C) (FBI Investigator) and (b) (6), (b) (7)(C) (FBI Special Agent)

1215 hours – Lieutenant Sheriff (Imperial County) arrived on scene

1350 hours – Agent Aguilar's body was secured by the Imperial County Coroner

(b) (6), (b) (7)(C), (b) (7)(E)



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Time Line

Page 2

1403 hours – The Imperial County Coroner left the scene and transported Agent Aguilar to Fry's Chapel in Brawley, California.

1600 hours – (b) (6), (b) (7)(C) SBPA SRT) arrived on scene

First Responders/Already on Scene:

(b) (7)(E) Agents: (b) (6), (b) (7)(C) and L. Aguilar

BLM EMT's: (b) (6), (b) (7)(C)

California Highway Patrol Officers: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

ICSO: (b) (6), (b) (7)(C)

Winterhaven Fire: (b) (6), (b) (7)(C)

Calexico Border Patrol: (b) (6), (b) (7)(C) SBPA)

Witness: (b) (6), (b) (7)(C) gave statement to (b) (7)(E)

(b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



(b) (7)(E)



U.S. Customs and  
Border Protection

OBP YUM

January 25, 2008

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

FROM:

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent  
(b) (6), (b) (7)(C) Arizona

SUBJECT: Picture of Suspected Load Driver

On January 25, 2008 at approximately 0800 hours, I was attending shift muster when I heard a rumor that the driver of the vehicle that killed SPA Aguilar was possibly the same person that was involved in the theft of a Border Patrol vehicle from (b) (7)(E) agents on September 03, 2007. I was at the scene on September 03, 2007, only moments before the vehicle was stolen. I took pictures of the vehicle with the marijuana in it and I also took a picture of the driver. I compared the picture of the driver with the picture of the man arrested in Mexico, identified as Jesus NAVARRO-MONTES, who was believed to be the driver of the vehicle that killed SPA Aguilar. It was my opinion that it was the same person in both pictures. I contacted SBPA (b) (6), (b) (7)(C) of the Sector (b) (7)(E) (b) (7)(E) and asked him if he needed copies of the pictures that I had. I provided copies of the pictures to SBPA (b) (6), (b) (7)(C) in case they would be needed for further evidence against the subject responsible for SPA Aguilar's death.



(b) (7)(E)

Yuma Sector



(b) (7)(E)



U.S. Customs and  
Border Protection

OBP YUM

February 01, 2008

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

FROM:

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent  
Yuma, Arizona

SUBJECT:

Assault on Luis Aguilar

On January 19, 2008, at approximately 0930 hours, I heard a Border Patrol agent on the (b) (7)(E) (b) (7)(E) radio channel advise that there was an agent down and for someone to call for an ambulance. At the time of the call, I was en route to the Imperial Sand Dunes area from (b) (7)(E) to assist Border Patrol agents working on the (b) (7)(E) radio channel in stopping two suspected smuggling vehicles. I then heard an agent advise that the location of the agent that was down was near (b) (7)(E) (b) (7)(E).

I arrived on scene at approximately 0955 hours. There was a (b) (7)(E) Fire Truck, a (b) (7)(E) Ambulance, California Highway Patrol officers, Bureau of Land Management officers, and several Border Patrol agents already at the scene as I arrived.

Upon arrival, I walked over to the ambulance and saw Senior Patrol Agent Luis Aguilar lying on his back with several medical personnel around him. I noticed that his face was completely covered in blood and that he was not moving. He looked very bad. I then heard the medical personnel say that they were "calling him" deceased. I asked them if they were calling him deceased and they said that they were. I then advised the Yuma Sector Communications Center of the fact via telephone. I was advised at a later time that the time of death was 0958 hours.

Later, as I was standing by SPA Aguilar, I noticed that there were three bullets lying on the ground. One was under the ambulance behind the front passenger side tire and one was between the ambulance and the front end of the Bureau of Land Management truck, which was parked in front of the ambulance. I do not recall the exact location of where the third bullet was lying, but I know it was on the pavement somewhere between SPA Aguilar, the ambulance, and the BLM truck. I asked one of the medical personnel from the ambulance if they were going to be backing out and he said that they were. I also asked one of the BLM officers from the truck in front of the ambulance, and he said that the truck was going to be moved. I then gathered the three bullets and placed them next to a little manila bag and a black magazine floor plate that was lying next to SPA Aguilar. I moved

(b) (6), (b) (7)(C), (b) (7)(E)



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Assault on Luis Aguilar

Page 2

these three bullets to preserve and safeguard the evidence from probable damage from being driven over by exiting emergency response vehicles and from potentially being lost. I have since learned that the manila bag was labeled as Evidence Marker C.

I spoke with SBPA (b) (6), (b) (7)(C) from the (b) (7)(E) station and he advised that he had been handling everything at the scene prior to my arrival. We then coordinated our efforts in maintaining communications through both stations and preserving and safeguarding the scene until we were properly relieved. I advised him that I would assist him in any manner that he needed.



(b) (7)(E)

Yuma Sector



(b) (7)(E)



U.S. Customs and  
Border Protection

OBP YUM

January 22, 2008

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

FROM:

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent  
Yuma, Arizona

SUBJECT:

Telephonic Call Received

On January 21, 2008, at approximately 1440 hours, while assigned to administrative duties at the (b) (7)(E) Station, I received a telephonic call from an individual who stated that he wished to speak to a Supervisory Border Patrol Agent in regards to the recent homicide of a Border Patrol Agent.

This individual, who identified himself as (b) (6), (b) (7)(C) claimed to be calling from Mexico and desired to make arrangements with the Border Patrol for the surrender of the person responsible for the death of the Border Patrol Agent.

(b) (6), (b) (7)(C) claimed to represent the family of the driver of the Hummer that was involved with the homicide and that this individual feared for his life and wanted to turn himself over to United States authorities. He stated that the police and many people in the community were angry at what had occurred and that the driver feared for his safety.

(b) (6), (b) (7)(C) adamantly requested that the driver needed to be arrested on the Mexican side by U.S. authorities and that no Mexican authorities were to be involved in the arrest due to the driver's fear that he would be killed by Mexican Police.

I asked (b) (6), (b) (7)(C) if he knew or had spoken to the driver of the vehicle. He refused to provide a name or description but relayed to me that he had been contacted by family members and he was acting on their behalf. He further stated that he had spoken on the phone to the driver and that he was willing to surrender to U.S. authorities in Mexico. When asked where the arrest could take place, (b) (6), (b) (7)(C) stated that the subject was in hiding and that he could wait in a restaurant in Los Algodones, Baja California.

(b) (6), (b) (7)(C)



(b) (7)(E)

*Yuma Sector*



Memorandum for Chief Patrol Agent  
Subject: Telephonic Call Received

Page 2

I assured (b) (6), (b) (7)(C) that all efforts would be made to effect the arrest without incident and that his requests for the well-being of the driver would be a priority. I also advised (b) (6), (b) (7)(C) that I would be required to seek authorization from my superiors and that further arrangements and coordination efforts would need to be made.

During the course of the conversation, (b) (6), (b) (7)(C) stated that he was a lawyer from Mexico City and repeatedly wanted assurances that the Mexican Police would in no way be involved in the arrest. He refused to provide me with a call-back number and insisted that he wanted to have my cellular number instead. He stated that he would first have to speak with the family members and would call back to confirm the arrangements.

I provided him with my cellular phone number and asked for an approximate time for the call-back. He stated that he would call between 3:00 PM and 7:00 PM. He asked to have my name and firmly stated that I would be the only person that he would make any further arrangements with when he called back.

The call was terminated and I immediately notified the Command Center and provided Sector Staff members with the pertinent information. It was later learned that he had initially called the Yuma Sector Communications Center and the call was transferred to the (b) (7)(E)

At 1533 hours, a second call was received by the Communications Center from (b) (6), (b) (7)(C) requesting to speak with me. He spoke to another Supervisor and stated that he would call back and provide a cellular number where he could then be contacted.

As of 1300 hours, on January, 22, 2008, (b) (6), (b) (7)(C) has not called back.



(b) (7)(E)

Yuma Sector



(b) (7)(E)



U.S. Customs and  
Border Protection

OBP YUM

January 19, 2008

(b) (6), (b) (7)(C)

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

FROM: (b) (6), (b) (7)(C)  
Field Operations Supervisor  
(b) (6), (b) (7)(C) Arizona

SUBJECT: Assault on a Federal Officer

(b) (7)(E)

The synopsis of events detailed below was taken from an interview conducted with the members of the (b) (7)(E) Station IMPACT Unit on Saturday, January 19, 2008, between the hours of 1550 and 1630. The agents interviewed were: Supervisory Border Patrol Agent (b) (6), (b) (7)(C), Border Patrol Agent (b) (6), (b) (7)(C), Border Patrol Agent (b) (6), (b) (7)(C), Border Patrol Agent (b) (6), (b) (7)(C), and Border Patrol Agent (b) (6), (b) (7)(C).

On Friday, January 18, 2008, Border Patrol Agent (b) (6), (b) (7)(C) of the (b) (7)(E) Border Patrol Station received information from (b) (7)(E)

(b) (6), (b) (7)(C), (b) (7)(E)

On Saturday, January 19, 2008, at (b) (7)(E) hours, the IMPACT Unit reported to the (b) (7)(E) Station to begin their assigned shift. The IMPACT Unit drove to the Imperial Sand Dunes, where they (b) (7)(E)

(b) (6), (b) (7)(C), (b) (7)(E)



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Assault on a Federal Officer

(b) (7)(E)

Page 2

At approximately 0920 hours, SBPA (b) (6), (b) (7)(C) observed a red Ford F-250 pickup approaching their location. He noticed that the vehicle had heavily tinted windows, and was (b) (7)(E). As the vehicle passed their location, the agents noted that it appeared heavily laden, and had no visible license plate. The vehicle drove at a very slow rate (b) (7)(E) and entered the traffic flow on Interstate 8 heading westbound. SBPA (b) (6), (b) (7)(C) alerted BPA (b) (6), (b) (7)(C) to the vehicle, and BPA (b) (6), (b) (7)(C) fell in behind the vehicle as it passed him at the Imperial Sand Dunes (b) (7)(E). SBPA (b) (6), (b) (7)(C) followed both the target vehicle and BPA (b) (6), (b) (7)(C) coordinating with (b) (6), (b) (7)(C) to have a marked Border Patrol vehicle from the (b) (7)(E) Station execute a traffic stop on the target vehicle.

At approximately 0925 hours, BPA (b) (6), (b) (7)(C) (b) (7)(E) observed a pewter-colored H2 Humvee approach his position, following the same route and manner of travel as the red F-250. The vehicle was moving abnormally slow along the paved road, and onto (b) (7)(E) heading for the westbound lane of Interstate 8. BPA Luis Aguilar called for a marked (b) (7)(E) unit to investigate the Humvee. A (b) (7)(E) unit responded from the (b) (7)(E) (b) (7)(E). As the (b) (7)(E) unit began to drive over the (b) (7)(E) the Humvee executed an abrupt left turn, driving across the I-8 median and entering the eastbound flow of traffic. The vehicle then exited I-8 (b) (6), (b) (7)(C), in an apparent attempt to return to Mexico.

Agents Aguilar and (b) (6), (b) (7)(C) who had been watching this from (b) (7)(E) positioned themselves to deploy a Controlled Tire Deflation Device (CTDD) just east of (b) (7)(E). (b) (7)(E) Agent Aguilar was standing on the south side of the (b) (7)(E) and Agent (b) (6), (b) (7)(C) was standing on the north side. As the Humvee crested (b) (7)(E) the two agents were stretching the CTDD across the road. Seeing that, the driver of the Humvee accelerated the vehicle, driving directly for the agents. Agent (b) (6), (b) (7)(C) broke to the north and climbed up the (b) (7)(E) fence, out from the path of the oncoming vehicle. The driver of the Humvee then swerved slightly left, directly at Agent Aguilar. At approximately 0930 hours, the Humvee struck Agent Aguilar, continued across (b) (7)(E) diagonally, and then drove back up onto the (b) (7)(E) heading westbound. The last known sighting of the vehicle was near the (b) (7)(E) still heading west.

After observing the vehicle strike Agent Aguilar, Agent (b) (6), (b) (7)(C) ran to him and checked him for vital signs. He detected a faint pulse. Agent (b) (6), (b) (7)(C) then retrieved his EMT bag from his vehicle and began rendering first aid to Agent Aguilar. An unknown civilian approached the scene and identified himself as a nurse, and Agent (b) (6), (b) (7)(C) allowed him to take the primary caregiver position. The call went out immediately for EMS to respond to the scene. A (b) (7)(E) ambulance crew arrived on scene approximately twenty minutes after the incident; BPA Aguilar was pronounced dead shortly after.

While at the scene, another unknown civilian notified Agent (b) (6), (b) (7)(C) that he had located Agent Aguilar's sidearm, approximately thirty feet from his body. Agent (b) (6), (b) (7)(C) recovered that weapon, and the magazines that had been on Agent Aguilar's person. While clearing the weapon, Agent (b) (6), (b) (7)(C) worked the slide several times, thus ejecting four or five rounds, before remembering to



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Assault on a Federal Officer at

(b) (7)(E)

Page 3

eject the magazine from the magazine well of the pistol. He then ejected the magazine, and made the weapon safe.

The original vehicle, the red F-250, executed a U-turn through the I-8 median (b) (7)(E) (b) (7)(E) and drove eastbound back toward the (b) (7)(E) (b) (7)(E). The vehicle left the roadway just east of (b) (7)(E) driving south, and returned to Mexico.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

OBP YUM



U.S. Customs and  
Border Protection

January 29, 2008

MEMORANDUM FOR: CHIEF PATROL AGENT  
YUMA, ARIZONA

(b) (6), (b) (7)(C)

FROM:

Assistant Patrol Agent In Charge  
(b) (6), (b) (7)(C) Arizona

SUBJECT:

Incident Involving SPA Luis Aguilar

Attached are memoranda from the IMPACT Team documenting the assault on SPA Luis Aguilar which led to his losing his life. The originals of these memorandums were turned over to the El Centro FBI Office to be entered into evidence as the agents' written statements regarding the Assault on a Federal Officer case that the El Centro FBI Office has assumed the lead role in.

The memorandums document that two vehicles, a red Ford F-150 and a brown pewter Hummer H2, were detected by the IMPACT Team as possible vehicle drive throughs from (b) (7)(E) (b) (7)(E)

(b) (7)(E) agents and marked Border Patrol vehicles were moving into position to stop the vehicles on Interstate 8, the brown pewter Hummer executed an immediate U-turn just east of the Sand Dunes (b) (7)(E) and drove back eastbound to the (b) (7)(E) Agents (b) (6), (b) (7)(C) and Luis Aguilar requested permission and were granted permission to deploy a controlled tire deflation device (CTDD) on the vehicle by SBPA (b) (6), (b) (7)(C) if it were safe to do so.

Agents (b) (6), (b) (7)(C) and Aguilar immediately began deploying the CTDD as the brown pewter Hummer was exiting on (b) (7)(E) Both SPA (b) (6), (b) (7)(C) and SPA (b) (6), (b) (7)(C) indicate in their memoranda that the vehicle was traveling too fast and reached the deployment zone much more quickly than they realized. They indicate that the Hummer turned towards SPA Aguilar and he did not have time to move out of its path.

SBPA (b) (6), (b) (7)(C) of the Yuma Sector (b) (7)(E) indicated that they have witness statements stating that SPA Aguilar was attempting to keep some civilians clear of the path of the Hummer and his attention was diverted too long from the Hummer and it approached his location before he realized that it was close. These statements were also given to the FBI



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Incident Involving SPA Luis Aguilar

Page 3

Agent assigned as the lead investigator at the scene. According to SBPA (b) (6), (b) (7)(C) the witness statements also indicate that the driver of the Hummer turned to avoid the spike strips and had successfully done so when the driver turned again in the direction of SPA Aguilar. The witnesses indicated that in their opinion, the driver of the Hummer intentionally struck SPA Aguilar. SPA Aguilar lost his life due to the actions of the driver of the Hummer. The Hummer was able to successfully return to Mexico after striking SPA Aguilar.

The red Ford F-150 was able to negotiate through a small breach in the drive through barriers on the south side of Interstate 8 and it returned to Mexico without traveling back to the (b) (7)(E)  
(b) (7)(E)



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

PATROL AGENT IN CHARGE

(b) (6), (b) (7)(C) CALIFORNIA

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent

SUBJECT:

Incident In (b) (7)(E)

On January 19, 2008, I, Border Patrol Agent (b) (6), (b) (7)(C) was assigned to (b) (7)(E) in (b) (7)(E) approximately (b) (7)(E), California Port of Entry. At approximately 8:20 A.M., a (b) (7)(E) Border Patrol Agent notified the agents in (b) (7)(E) over the service radio that a red Ford F-250 was heading west bound on Interstate 8, located just north of the (b) (7)(E). This (b) (7)(E) Agent asked for assistance with getting behind the red Ford F-250 and pulling it over, as he suspected that the truck had made an illegal entry over the United States/Mexico Boundary Line.

At this time, I immediately made my way to Interstate 8 to respond to the call made by the (b) (7)(E) agent. During my response a different (b) (7)(E) Border Patrol Agent notified (b) (7)(E) by service radio, that a second suspicious vehicle, a tan Hummer, was also turning west bound onto Interstate 8. Approximately 10 seconds after this notification Agent (b) (6), (b) (7)(C) put out over the service radio that the tan Hummer had made a u-turn on the interstate and was going to try and drive back south into Mexico. The next traffic I heard over the service radio was that an agent was down near the (b) (7)(E). I responded from (b) (7)(E). When I arrived at the (b) (7)(E) area I began to set up the Controlled Tire Deflation Device (CTDD). I did this because (b) (7)(E) (b) (7)(E) informed the agents working (b) (7)(E) that the red Ford F-250 had made a u-turn on Interstate 8 and was now going eastbound in an attempt to drive back south into Mexico.

After setting up the CTDD, (b) (7)(E) informed us the red Ford F-250 had driven back south to Mexico at an area known as (b) (7)(E). It was at this time I noticed the agent that was down. I offered any assistance that I could but the paramedics were handling the situation.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

PATROL AGENT IN CHARGE

(b) (6), (b) (7)(C) CALIFORNIA

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent

SUBJECT:

Incident in (b) (7)(E)

On January 19, 2008, Border Patrol (b) (6), (b) (7)(C) and I were assigned to (b) (7)(E) (b) (7)(E) California Border Patrol Station's area of operation.

At approximately 0825 hours, BPA (b) (6), (b) (7)(C) and I heard (b) (7)(E) agents announce, via service radio, that there was a red Ford F-250 pickup truck which was suspected of having made an illegal entry into the United States from Mexico traveling westbound on Interstate 8 from the (b) (7)(E)

While this activity was occurring, BPA (b) (6), (b) (7)(C) and I were conducting (b) (7)(E) along the border drag in the vicinity of (b) (7)(E). A short time later we heard radio traffic stating that there was a silver Humvee traveling southbound from the (b) (7)(E). Shortly thereafter an agent stated that an agent was down, and medical attention was needed. At this time, Agent (b) (6), (b) (7)(C) and I made our way towards (b) (7)(E) and proceeded eastbound onto I-8, in order to assist at the scene at (b) (7)(E). Upon nearing the (b) (7)(E) it was announced over the radio that the Ford pickup had made a U-turn and was headed eastbound on I-8.

As we traveled westbound on I-8, Supervisory Border Patrol Agent (b) (6), (b) (7)(C) instructed us to inform the California Highway Patrolman, whom was located in the (b) (7)(E) immediately west of the (b) (7)(E) about the agent that was down at (b) (7)(E). After informing the patrolman of the situation, BPA (b) (6), (b) (7)(C) and I proceeded westbound on I-8 and exited at the (b) (7)(E). We then heard (b) (7)(E) state that the red pickup was approaching the (b) (7)(E). At that point we merged onto I-8, headed eastbound, and finally caught up around (b) (7)(E). The vehicle was maintaining a speed of approximately 60 miles per hour. As we approached (b) (7)(E) we were able to see that the plate of the vehicle was a dealer's plate. As we began to approach (b) (7)(E) the vehicle tapped his brakes, pulled into the median, and proceeded to turn 180 degrees. The driver, whom appeared to be a Hispanic male in his mid to late twenties, then briefly drove westbound across the eastbound lane of I-8, just before driving south down the embankment.



(b) (7)(E)

Yuma Sector



Memorandum for: (b) (6), (b) (7)(C) Patrol Agent In Charge  
Subject: Incident in (b) (7)(E)

Page 2

BPA (b) (6), (b) (7)(C) and I then parked on the south shoulder of I-8 and observed the red Ford pickup as it made it's way into Mexico. We then immediately proceeded to (b) (7)(E) to provide any assistance that we could.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

PATROL AGENT IN CHARGE

(b) (7)(E), CALIFORNIA

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent

(b) (6), (b) (7)(C)

SUBJECT:

Death of Yuma Border Patrol Agent Luis Aguilar

On January 19<sup>th</sup>, 2008, I was assigned duties in (b) (7)(E) in the (b) (7)(E) California Area of Operations (b) (7)(E)

(b) (7)(E)

At approximately 8:20 A.M., I was positioned at the (b) (7)(E) (b) (7)(E)

At this time, a (b) (7)(E) Border Patrol Station unit asked me via Service Radio if I had observed a Red Ford 250 Truck go eastbound on the (b) (7)(E) from (b) (7)(E). I responded "negative". The (b) (7)(E) unit then advised me that the aforementioned Red Ford looked heavily loaded and was traveling (b) (7)(E). The (b) (7)(E) unit requested assistance from a marked (b) (7)(E) unit working in (b) (7)(E). I immediately responded eastbound on the (b) (7)(E).

As I approached the (b) (7)(E) Interstate 8, (b) (7)(E) units advised over the service radio that another possible loaded vehicle was about to enter Interstate 8 traveling westbound. This vehicle was described as a silver Hummer. I immediately looked to my north and observed a silver Hummer with tinted windows about to enter Interstate 8 traveling westbound. I relayed over the service radio that I had observed the Hummer and I was going to attempt to get behind it. At the moment I entered Interstate 8 westbound lanes, I observed the silver Hummer approximately 300 yards ahead of me suddenly make a u-turn and cross the median just east of the Interstate 8 (b) (7)(E). The Hummer then traveled eastbound and exited at (b) (7)(E).

At this time I lost visual of the Hummer. I then followed the path of the Hummer and I exited at the (b) (7)(E). At the stop sign, I made a right turn and began to travel westbound on the (b) (7)(E). I then observed the silver Hummer traveling at a high rate of speed in a southwest direction towards some sand dunes. I continued to travel westbound on the (b) (7)(E).



(b) (7)(E)

Yuma Sector



Memorandum for Patrol Agent In Charge  
Subject: Death of Border Patrol Agent Luis Aguilar

Page 2

(b) (7)(E) until I heard over the service radio "agent down". I immediately turned around and traveled eastbound towards the (b) (7)(E). As I approached the (b) (7)(E) (b) (7)(E) I observed several people performing CPR on the (b) (7)(E) agent. As the persons were vigorously performing CPR, I helped secure the area, redirect traffic and perform crowd control. Shortly after, news of the (b) (7)(E) agent's death was disseminated at the scene.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

PATROL AGENT IN CHARGE

(b) (7)(E) CALIFORNIA

FROM:

(b) (6), (b) (7)(C)

Senior Border Patrol Agent

SUBJECT:

Border Patrol Agent Death

On 01/19/2008, I Senior Border Patrol Agent (b) (6), (b) (7)(C) was performing my assigned duties in (b) (7)(E) of the (b) (7)(E) Border Patrol Station's area of operations. At approximately 8:15 A.M., there was radio traffic that a Ford F-150 and then a Humvee had illegally entered the United States from Mexico near the (b) (7)(E). At approximately 8:30 A.M., there was an "Agent Down" distress call via service radio. The location of the Agent Down was dispatched as (b) (7)(E). I was located at the (b) (7)(E) and began responding to the (b) (7)(E) to assist. As I drove to that location, there was more radio traffic that the Ford F-150 was trying to drive back to Mexico. I began making my observations of the area but was unable to locate the Ford F-150. I then continued my travel to the Agent Down location. As I arrived at the Agent Down location, I parked my service vehicle in a safe location and provided assistance to other Agents and Emergency Medical Technicians that were already on scene. I remained at that location and provided assistance until approximately 1:15 P.M.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

GLICET C. GARVEY  
PATROL AGENT IN CHARGE  
(b) (7)(E), CALIFORNIA

FROM:

(b) (6), (b) (7)(C)

Senior Patrol Agent

SUBJECT:

Incident in (b) (7)(E) on 01/19/2008

On Saturday, January 19, 2008, I was working around the area of (b) (7)(E) just west of the (b) (7)(E). I was (b) (7)(E). At approximately 08:25 A.M., an unidentified (b) (7)(E) Sector BPA, using his service radio, began contacting (b) (7)(E) Sector BPAs, in (b) (7)(E) and alerting them of a vehicle, a red Ford F-250, exiting the (b) (7)(E). As I continued (b) (7)(E) I heard another unidentified (b) (7)(E) BPA on his service radio broadcast that another vehicle, a grey Hummer, also was exiting the (b) (7)(E).

At the time, I was away from my vehicle. I started walking towards my vehicle to drive up to Interstate 8, in case an agent was needed to set up spikes. Before I got to my vehicle, an unknown (b) (7)(E) BPA broadcasted on his service radio that an agent was down. I quickly got on my vehicle, drove west to (b) (7)(E) then headed north towards Interstate 8. On Interstate 8, I headed east towards (b) (7)(E). By the time I got to the (b) (7)(E) Emergency Medical Services (EMS) were already at the scene and the (b) (7)(E) Border Patrol Agent had already been pronounced deceased. I remained in the (b) (7)(E) area to help secure the scene.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

PATROL AGENT IN CHARGE  
(b) (6), (b) (7)(C) CALIFORNIA

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent

SUBJECT:

Incident In (b) (7)(E)

On January 19, 2008, Border Patrol Agent (b) (6), (b) (7)(C) and myself were assigned to (b) (7)(E) (b) (7)(E) California Border Patrol Station area of operation. At approximately 0825 hours we heard over the service radio from the (b) (7)(E) agents that a red F-250 was suspected of entering the United States illegally from Mexico. A Yuma agent advised everyone in (b) (7)(E) that the vehicle was traveling westbound on I-8.

At that time, BPA (b) (6), (b) (7)(C) and myself were (b) (7)(E) the border drag around (b) (7)(E). A few minutes later it was announced that a Silver Hummer was also exiting (b) (7)(E). (b) (7)(E) At that time we were making our way towards (b) (7)(E) to try to assist.

We were still traveling westbound on the drag when we heard that EMS was needed in (b) (7)(E) because an officer was down. At that time our only intention was to go to (b) (7)(E). When we exited (b) (7)(E) eastbound we heard (b) (7)(E) say that the Red F-250 was now traveling eastbound and approaching (b) (7)(E) on I-8. A California Highway Patrol Unit was parked on I-8 (b) (7)(E) when SBPA (b) (6), (b) (7)(C) requested for us to advise CHP officer about the officer being down in (b) (7)(E). After advising the CHP officer we traveled westbound to (b) (7)(E) and began to observe the highway for the Red F-250.

(b) (7)(E) put out over the service radio that the Red F-250 was now approaching (b) (7)(E). We observed the only red truck on the highway and tried to catch up to it for a closer look. The vehicle was traveling about 60 m.p.h. and we got behind it just east of (b) (7)(E). Right before the vehicle reached (b) (7)(E) on I-8 the vehicle slowed down and turned westbound on the median. After that, the Red F-250 turned south and went down the steep berm towards the (b) (7)(E). BPA (b) (6), (b) (7)(C) and myself observed the Red F-250 as it drove south into Mexico from I-8.

After observing the Red F-250 make it into Mexico, we went to give any help possible in the (b) (7)(E).



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

(b) (6), (b) (7)(C)  
PATROL AGENT IN CHARGE  
(b) (6), (b) (7)(C) CALIFORNIA

FROM:

(b) (6), (b) (7)(C)  
Border Patrol Agent (b) (6), (b) (7)(C)

SUBJECT:

RE: Incident in (b) (7)(E)

On 1/19/2008, I was assigned (b) (7)(E) in the (b) (7)(E) Station (b) (7)(E). At morning muster, supervisors advised agents that

(b) (7)(E)

At approximately 0815, I began to monitor the (b) (7)(E) Border Patrol Agent (b) (6), (b) (7)(C) was monitoring the (b) (7)(E). At approximately 0820, (b) (7)(E) agents broadcast on the (b) (7)(E) radio channel that a red F-250 truck had exited the sand dunes at (b) (7)(E) and was proceeding westbound on Interstate-8. Agent (b) (6), (b) (7)(C), (b) (7)(E)

A few minutes later, (b) (7)(E) agents broadcast that a second vehicle, identified as a "Hummer," was (b) (7)(E) and proceeding toward the Interstate. An agent spotted the vehicle and attempted to get behind it. The agent advised that the Hummer was turning around (b) (7)(E) and heading back eastbound. A few minutes later, a (b) (7)(E) agent called radio requesting EMS. The agent then advised that it was a Border Patrol Agent that had been struck by the fleeing Hummer. Agent (b) (6), (b) (7)(C) located a champagne colored Hummer on the (b) (7)(E) traveling westbound at a high rate of speed. BPA (b) (6), (b) (7)(C) broadcast the vehicle's location and description via radio. BPA (b) (6), (b) (7)(C) and I continued to follow the Hummer (b) (7)(E) (b) (7)(E). We observed the Hummer nearly collide with some civilian vehicles on the (b) (7)(E) and continue eastbound. The Hummer exited the (b) (7)(E) west of (b) (7)(E) and proceeded south toward Mexico. We followed the vehicle until it was out of sight in Mexico near the (b) (7)(E).

As Agent (b) (6), (b) (7)(C) and I followed the vehicle, we heard agents request life flight to be dispatched to the location. I was in contact with (b) (7)(E) Sector via telephone and provided GPS coordinates of the (b) (7)(E) for the life flight.

As the Hummer was proceeding south, another agent advised that the red F-250 had turned around and was heading back eastbound. I was able to locate the vehicle on Interstate-8 and



(b) (7)(E)

Yuma Sector



Memorandum for (b) (6), (b) (7)(C)  
Subject: incident in (b) (7)(E)

Page 2

began advising field agents of its location and direction of travel. The F-250 continued eastbound on Interstate-8 until it reached the (b) (7)(E) area. The F-250 then turned around in the median and proceeded westbound in the eastbound lanes a short distance, where it turned south off the Interstate and proceeded to flee to Mexico following the same general path as the Hummer. The vehicle had a covered cargo area and appeared to be heavily loaded. Upon reaching the (b) (7)(E) the F-150 began to travel east. I continued to follow the vehicle as it traveled east past the (b) (7)(E) and into the sand dunes. Once in the dunes, the vehicle turned south and entered Mexico. I lost visual shortly afterwards. I advised Yuma Sector of the vehicles' last location via telephone.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

PATROL AGENT IN CHARGE

(b) (7)(E) CALIFORNIA

FROM:

(b) (6), (b) (7)(C)

SUBJECT:

Death of (b) (7)(E) Border Patrol Agent Luis Aguilar

This memorandum is being written per the request of Patrol Agent In Charge (b) (6), (b) (7)(C) in regards to the observations of the incident on January 19, 2008, which resulted in the death of Border Patrol Agent Luis Aguilar. On the above referenced date I was assigned (b) (7)(E) (b) (7)(E) Station, El Centro Sector. The incident in question was initiated at approximately 8:25 a.m. Also present in the (b) (7)(E) was Border Patrol Agent (b) (6), (b) (7)(C) and Sergeant (b) (6), (b) (7)(C) of the National Guard.

The onset of the incident initiated with an unidentified Yuma Sector (b) (7)(E) Agent using his service radio to contact (b) (7)(E) Sector Agents, in the area known as (b) (7)(E) is located in the (b) (7)(E) California Border Patrol's Area of Operation. The (b) (7)(E) alerted them of a suspicious vehicle exiting the (b) (7)(E) and heading towards Interstate 8 (I-8). The vehicle was described as a red Ford F-250, with no plates and a single driver. The (b) (7)(E) further stated that the vehicle was heading westbound on I-8 and requested assistance with the vehicle. A second (b) (7)(E) also broadcasted that he was in an unmarked service vehicle, and was attempting to get behind the red Ford F-250. (b) (7)(E) Agent (b) (6), (b) (7)(C) and myself (b) (7)(E) to track the red Ford F-250 as it proceeded westbound on I-8.

During this same timeframe a (b) (7)(E) broadcasted that a second suspicious vehicle was exiting the same area and also heading towards I-8. The second vehicle was described as a grey Hummer with a single driver that was heading towards the westbound (b) (7)(E) on I-8. Shortly after, a (b) (7)(E) stated that he was positioned behind the red Ford F-250, which was (b) (7)(E). Around this time Agent (b) (6), (b) (7)(C) broadcasted that the grey Hummer was reversing their direction of travel through the (b) (7)(E) located just west of (b) (7)(E). At this point I (b) (7)(E) (b) (7)(E) the grey Hummer driving through the (b) (7)(E) (b) (7)(E) (b) (7)(E)



(b) (7)(E)

Yuma Sector



Memorandum for (b) (6), (b) (7)(C) Patrol Agent In Charge  
Subject: Death of Yuma Border Patrol Agent Luis Aguilar

Page 2

exit. During this time Agent (b) (6), (b) (7)(C) and Sergeant (b) (6), (b) (7)(C) attempted to retain visual on the red Ford F-250.

Shortly after losing visual on the Hummer, a (b) (7)(E) broadcasted a request to Sector Radio (Sector Radio) to dispatch EMS immediately and that an agent was down. The (b) (7)(E) later broadcasted that the Hummer had struck an agent and continued to proceed down (b) (7)(E). The agent that was struck was later identified as Agent Aguilar. (b) (7)(E) (b) (7)(E) as it continued westbound on (b) (7)(E) which runs adjacent to and parallel (b) (7)(E) along the desert campgrounds. The Hummer appeared to be traveling at a high rate of speed and narrowly missing civilian vehicles that were also traveling along the road. The Hummer continued its direction of travel until reaching an area known (b) (7)(E) where it changed its direction and proceeded southbound towards the United States/Mexico International Border located approximately .25 miles south of (b) (7)(E) (b) (7)(E). The Hummer continued at what appeared to be a high rate of speed through (b) (7)(E) and open desert. The Hummer continued until it crossed into Mexico, where it continued to proceed in a southern direction of travel.

Also during this timeframe Sector Radio was in communication with the (b) (7)(E) on site with the injured agent. EMS was dispatched and a description of the nature of the injury was requested. Agent (b) (6), (b) (7)(C) provided GPS coordinates of the area to Sector Radio via telephone. The (b) (7)(E) then advised Sector Radio that EMS was onsite after several minutes later. The EMS appeared to be a Bureau of Land Management EMS vehicle. Supervisory Patrol Agent (b) (6), (b) (7)(C) arrived on scene around this time period and began to coordinate efforts.

Simultaneous with the above occurrences, a (b) (7)(E) broadcasted that the red Ford F-250 had crossed the center divide of I-8 and was now traveling eastbound on I-8. This occurred near the exit known (b) (7)(E) is located where (b) (7)(E) with I-8. Agent (b) (6), (b) (7)(C) and I proceeded to track the red Ford F-250 as it traveled east on I-8. (b) (7)(E) (b) (7)(E) Agent (b) (6), (b) (7)(C) was responding to the area and was able to gain visual on the vehicle per his radio traffic. Agent (b) (6), (b) (7)(C) was later told by Agent (b) (6), (b) (7)(C) to notify a California Highway Patrol Unit, which had been spotted on I-8, of the red Ford F-250. Other agents in (b) (7)(E) also broadcasted that they were preparing to set up spike strips at (b) (7)(E) (b) (7)(E) in anticipation of the vehicle taking a similar course to the Hummer's.

The red Ford F-250 continued to proceed eastbound, during this timeframe Agent (b) (6), (b) (7)(C) was able to get behind the vehicle again. Shortly after that, the truck turned off of I-8 and drove down a sharp embankment just north (b) (7)(E). At that point the red Ford F-250 proceeded towards the United States/Mexico International Border and then proceeded eastbound along the border and headed towards an area known as (b) (7)(E). After proceeding eastbound for an unknown



(b) (7)(E)

Yuma Sector



Memorandum for (b) (6), (b) (7)(C) Patrol Agent In Charge  
Subject: Death of Yuma Border Patrol Agent Luis Aguilar

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distance the vehicle turned south and proceeded to travel further into Mexico. During these events, updates of the vehicles were provided by Agent (b) (6), (b) (7)(C) and I.

Radio traffic was then restricted, by Sector Radio and Agent (b) (6), (b) (7)(C). All efforts continued to be focused on the injured agent. Several emergency vehicles could be observed (b) (7)(E). A Life Care Unit had also landed along the drag road located north of the border and made contact with Agent (b) (6), (b) (7)(C). Agent (b) (6), (b) (7)(C) then relayed their offer of assistance via his service radio. No response was provided and at that point in time Agent (b) (6), (b) (7)(C) requested communication with Sector Radio via cellular telephone. Word of the agent's death was disseminated at a later time.

Also present (b) (7)(E) during the above incidents was Supervisory Patrol Agent (b) (6), (b) (7)(C) who was also monitoring the radio traffic (b) (7)(E).



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

PATROL AGENT IN CHARGE

(b) (6), (b) (7)(C) CALIFORNIA

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

FROM:

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent

(b) (6), (b) (7)(C)

SUBJECT:

Death Of Yuma Border Patrol Agent  
Luis Aguilar

On January 19, 2008, at approximately 8:00 AM, I was conducting my assigned duties in the Eastern portion of the (b) (7)(E) California's Border Patrol Station's area of responsibility and was in my assigned serviced marked Border Patrol vehicle (b) (7)(E)

At approximately 7:00 AM, I was requested to make a meet with Supervisory Border Patrol Agent Angel (b) (6), (b) (7)(C) of the (b) (7)(E) Agent (b) (6), (b) (7)(C) stated to me that (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C), (b) (7)(E)

(b) (7)(E)

I stated to him that I would advise the oncoming unit of the activity, and ended our brief meeting.

Approximately 20 minutes had gone by, and I met with the oncoming (b) (7)(E) and advised them of the meeting I had just had with Agent (b) (6), (b) (7)(C). The Agents from the (b) (7)(E) agreed to (b) (7)(E)

At approximately 8:15 AM, am, I was stationed approximately (b) (7)(E)  
(b) (7)(E)

At this time, I heard a transmission on my service radio of a Red Ford F-150 which needed to be stopped by a marked vehicle. I did not know what agent broadcast this transmission, but went to render my assistance. As I entered Interstate 8 eastbound, I heard an added transmission of a Hummer vehicle which also needed to be stopped. As I continued eastbound on I-8, I heard a transmission of the Hummer making a U-turn, followed by someone stating that an agent had been struck. I immediately discontinued my intention with the Red vehicle, and focused solely on the injured agent.



(b) (7)(E)



Yuma Sector

Memorandum for (b) (6), (b) (7)(C), Patrol Agent In Charge  
Subject: Death Of Yuma Border Patrol Agent

Page 2

I notified Border Patrol Dispatch and requested for emergency medical services to be dispatched out to the location of the injured agent. I asked for the location of the injured agent, and was told he was in (b) (7)(E). I continued to travel eastbound to the injured agent, when I observed one dark red, and one light red truck pass my location traveling westbound. I further heard a transmission of someone stating to me that I had just passed the truck in questioned. I stated to that agent, I would no longer render assistance to him, but focus on the injured agent.

As I arrived at (b) (7)(E), I observed several agents (b) (7)(E). (b) (7)(E) I was guided to park to the side of the road, to avoid running over the service spike strips which had been laid down. I exited my vehicle, and several of the agents in the area stated to me that the red Ford truck was continuing eastbound, and would probably attempt to enter Mexico via the (b) (7)(E). I made a brief assessment of the incident and realized I was the senior agent on scene. I inquired as to the injured agent and his whereabouts. Border Patrol Agent Luis Aguilar (b) (7)(E) was lying on the asphalt, with two individuals administering CPR on him. I immediately notified Border Patrol Dispatch and requested life flight to be dispatched to our location.

I stated to the agents we should get ready for the Red truck continuing towards our location. Senior Patrol Agent (b) (6), (b) (7)(C) advised me he overheard a transmission that the Red truck had taken an alternate route back into Mexico and would not be coming our way after all.

California Highway Patrol Officer (b) (6), (b) (7)(C) arrived on scene. We both attempted to maintain scene integrity, while controlling the chaotic atmosphere we were involved in. Officer (b) (6), (b) (7)(C) and I gathered as much information as possible, in order to give to the Border Patrol's (b) (7)(E).

(b) (7)(E) Ambulance arrived on scene and continued administering CPR to Agent Aguilar. I continued to secure the scene with the assistance of the other agents. I attempted to establish a large perimeter around the area, advising all agents not to move or tamper with any items on the ground which would later be considered vital evidence to the investigation.

At approximately 8:56am, I was advised by agents on the scene, that (b) (7)(E) Paramedic (b) (6), (b) (7)(C) had pronounce Agent Aguilar deceased, and advised that I should cancel life flight to the scene.

Throughout this ordeal, I made numerous telephone calls to Border Patrol Dispatch requesting different agencies and assistance. Several officers from different agencies made contact with me, asking me questions and relaying information.



(b) (7)(E)

Yuma Sector



Memorandum for (b) (6), (b) (7)(C) Patrol Agent In Charge  
Subject: Death Of Yuma Border Patrol Agent

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Deputy (b) (6), (b) (7)(C) from the Imperial County Sheriff's Department arrived on scene and began to coordinate further scene parameters.

At approximately 10:35am, Federal Bureau Investigator (b) (6), (b) (7)(C) arrived on scene and took command of the situation.

Patrol Agent In Charge (b) (6), (b) (7)(C) and Assistant Patrol Agent In Charge (b) (6), (b) (7)(C) also arrived on scene and were briefed of the situation.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

PATROL AGENT IN CHARGE

(b) (6), (b) (7)(C) CALIFORNIA (b) (6), (b) (7)(C)

FROM:

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent

SUBJECT:

(b) (7)(E)

Supervisor timeline for incident on January 19, 2008

Contained is the timeline of actions taken by the (b) (7)(E) on January 19, 2008. The events timeline begins at 8:24 a.m., beginning with the initial advisements of the situation by the (b) (7)(E) Border Patrol Agents involved. The timeline ends at 5:00 p.m. with (b) (7)(E) during the hours of darkness.

8:24 a.m. (b) (7)(E) Border Patrol Agents advise (b) (7)(E) that they are following two vehicles coming out of the (b) (7)(E). One is a red Ford F-250 and the other is a Brown H2 Hummer.

8:27 a.m. Agents advise that the Hummer is proceeding to TBS (b) (7)(E).

8:29 a.m. (b) (7)(E) Border Patrol Agents on (b) (7)(E) request EMS and advise that there is an agent down at the (b) (7)(E). Agent advises the agent (b) (7)(E) has been hit by the Hummer attempting to TBS.

8:51 a.m. Supervisory Border Patrol Agent (b) (6), (b) (7)(C) arrives on scene and notifies Radio (b) (7)(E) to activate the (b) (7)(E).

9:00 a.m. SBPA (b) (6), (b) (7)(C) contacted the (b) (7)(E) Station and advised that the responding ambulance had pronounced Border Patrol Agent Luis A. Aguilar deceased at the scene.

9:12 a.m. An attempt to contact Mexican Authorities (b) (7)(E) is unsuccessful. A direct call was placed to (b) (7)(E) stated to me that they were fully aware of the situation and the Mexican authorities were responding to the area.

9:18 a.m. Radio (b) (7)(E) called and notified me that the (b) (7)(E) Border Patrol Station was requesting that The Federal Bureau of Investigations (FBI) be notified of the situation. I contacted the FBI's emergency switchboard and they advised me that they were aware of the situation, and that Special Agent (b) (6), (b) (7)(C) was getting a team together to respond to the scene.

9:50 a.m. SBPA (b) (6), (b) (7)(C) advised me that he would need a maintenance crew to go out the scene to assist in moving some barricades (b) (7)(E). Maintenance Supervisor (b) (6), (b) (7)(C) was notified of the situation and he stated that his crew would respond.



(b) (7)(E)

Yuma Sector



Memorandum for Patrol Agent In Charge

Page 2

Subject: (b) (7)(E) Supervisor timeline for incident on January 19, 2008

9:51 a.m. BPA (b) (6), (b) (7)(C) of Peer Support contacted the station and stated that he would be on his way to the scene.

9:58 a.m. Assistant Chief Patrol Agent (b) (6), (b) (7)(C) contacted me and asked if we had (b) (7)(E) of the incident. I stated to (b) (6), (b) (7)(C) that we (b) (7)(E) but not the incident.

(b) (6), (b) (7)(C), (b) (7)(E)

10:07 a.m. Assistant Chief Patrol Agent (b) (6), (b) (7)(C) contacted me and asked (b) (7)(E) (b) (7)(E)

10:18 a.m. PIO Agent (b) (6), (b) (7)(C) contacted and stated that all media calls be forwarded to him.

10:51 a.m. Contacted PAIC (b) (6), (b) (7)(C) to receive authorization (b) (7)(E) (b) (7)(E)

11:30 a.m. ACPA (b) (6), (b) (7)(C) contacted me and stated (b) (7)(E) (b) (7)(E)

11:37 a.m. (b) (6), (b) (7)(C), (b) (7)(E)

11:46 a.m.

2:45 p.m. Special Agent (b) (6), (b) (7)(C) of the FBI contacted me and requested a (b) (7)(E) (b) (7)(E)

4:38 p.m. (b) (7)(E) Agents are assisting the FBI Agents interview individuals that were in close proximity to the incident.

5:00 p.m. (b) (6), (b) (7)(C), (b) (7)(E) (b) (7)(E) during the hours of darkness.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 19, 2008

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

CHIEF PATROL AGENT (ACTING)  
EL CENTRO SECTOR (b) (6), (b) (7)(C)

FROM:

(b) (6), (b) (7)(C)

Assistant Patrol Agent in Charge  
(b) (6), (b) (7)(C)

SUBJECT:

Assault on Border Patrol Agent Resulting in Fatality  
Re: (b) (7)(E) Border Patrol Agent Luis Aguilar

This memorandum is to inform you that on January 19, 2008 at approximately 8:00 a.m., (b) (7)(E) Border Patrol Agent Luis Aguilar was struck and killed by a suspected load driver at the (b) (7)(E) (b) (7)(E) Station's Area of Responsibility (AOR).

On January 19, 2008 Agents from both (b) (7)(E) and the (b) (7)(E) Stations were performing their assigned duties in (b) (7)(E) Station's AOR and (b) (7)(E) Station's AOR. (b) (7)(E)

At approximately 8:00 a.m., (b) (7)(E) Agents assigned to (b) (7)(E) reported that a suspected load vehicle had entered the (b) (7)(E) and had continued to Interstate Highway 8. The vehicle was described as a red Ford Pickup traveling west on the highway. Minutes later, the agents reported another suspected load vehicle had entered (b) (7)(E) and was also traveling toward Interstate Highway 8. This vehicle was described as brown Hummer H2.

Border Patrol Agent (b) (7)(E) from the (b) (7)(E) Station was responding to the traffic by driving east on the (b) (7)(E) toward the (b) (7)(E) Agent (b) (6), (b) (7)(C) observed the Hummer H2 traveling westbound (b) (7)(E) as he continued eastbound on the (b) (7)(E)

After traveling westbound (b) (7)(E) for approximately one-quarter mile, the driver of the Hummer crossed the median, turned around and began driving east. The vehicle exited the (b) (7)(E) and began traveling west (b) (7)(E)

Initial report indicates that Border Patrol Agent Luis Aguilar, assigned to (b) (7)(E) Station's Impact Unit, attempted to deploy a Controlled Tire Deflation Device (CTDD) as the Hummer neared his location on the (b) (7)(E). While Agent Aguilar was attempting to deploy the CTDD, the driver of the Hummer intentionally struck Agent Aguilar, dragging him under the vehicle. After striking Agent Aguilar, the driver of the Hummer continued west along the (b) (7)(E) for approximately one mile before turning south and returning to Mexico.



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Assault on Border Patrol Agent Resulting in Fatality  
Re: (b) (7)(E) Border Patrol Agent Luis Aguilar

Page 2

Within seconds of the incident, (b) (7)(E) Agents arrived to Agent Aguilar's aid. Initial report indicates that Agent Aguilar was not breathing and had no pulse. Agents performed Cardio Pulmonary Resuscitation (CPR) until paramedics from (b) (7)(E) arrived. The paramedics continued to attempt to revive Agent Aguilar to no avail. Agent Aguilar was pronounced dead by medical personnel at the scene.

Coordinates of the incident are (b) (7)(E). No (b) (7)(E) Agents witnessed the Hummer strike Agent Aguilar.

Border Patrol Agent (b) (6), (b) (7)(C) describes in his memorandum that he was the nearest (b) (7)(E) Agent when the Hummer struck Agent Aguilar. Agent (b) (6), (b) (7)(C) states he was focusing on the suspect vehicle as it traveled west (b) (7)(E) and did not realize that Agent Aguilar had been struck until hearing of it over the Service Radio. Agent (b) (6), (b) (7)(C) states that upon hearing the "Agent Down" transmission, he returned to (b) (7)(E) and began scene security while the (b) (7)(E) Agents rendered aid to Agent Aguilar.

The other (b) (7)(E) Agents working in (b) (7)(E) also arrived on the scene and assisted in preserving and securing the scene.

Federal Bureau of Investigations Agents (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) determined, with the advice of the Assistant United States Attorney Michael Wheat, the case met the guidelines for assault on a Federal Agent. The FBI is the primary investigative agency regarding this case.

Agents assigned to Yuma and El Centro Sector's (b) (7)(E) assisted the FBI with their investigation of the incident. Officers from the California Highway Patrol, the Imperial County Sheriff's Office, Bureau of Land Management and Immigration and Customs Enforcement (ICE) arrived and assisted with securing the scene.

Agent Aguilar's body is currently being held at the Imperial County Coroners Office pending an autopsy which is scheduled for Tuesday January 22, 2008. Lieutenant (b) (6), (b) (7)(C) is the point of contact for the coroner's office.

(b) (6), (b) (7)(C), (b) (7)(E)



(b) (7)(E)

Yuma Sector



Memorandum for Chief Patrol Agent  
Subject: Assault on Border Patrol Agent Resulting in Fatality  
Re: Yuma Border Patrol Agent Luis Aguilar

Page 3

(b) (7)(E)

All Agents involved were offered and accepted the services of Peer Support.

The following notifications were made:

- Patrol Agent in Charge (b) (6), (b) (7)(C)
- Assistant Chief Patrol Agent (Acting) (b) (6), (b) (7)(C)
- Deputy Chief Patrol Agent (b) (6), (b) (7)(C)
- Chief Patrol Agent (Acting) (b) (6), (b) (7)(C)
- Patrol Agent in Charge, Sector (b) (6), (b) (7)(C), (b) (7)(E)

Attached are the following memoranda and/or reports:

- Memorandum completed by BPA (b) (6), (b) (7)(C)
- Memorandum completed by BPA
- Memorandum completed by BPA
- Memorandum completed by BPA
- Memorandum completed by BPA
- Memorandum completed by BPA
- Memorandum completed by BPA
- Memorandum completed by SBPA (b) (6), (b) (7)(C)
- Memorandum completed by SBPA (b) (6), (b) (7)(C) (timeline)
- El Centro Sector (b) (7)(E)
- Custody Receipt 6051S
- Contact Telephone Numbers for LEA and Rescue Personnel at the scene
- Situational Awareness Report

A copy of all memoranda prepared by agents of the (b) (7)(E) Station was provided to FBI Agent (b) (6), (b) (7)(C) for the investigation. (b) (7)(E) Station submitted a Significant Incident Report to the Office of Border Patrol Headquarters.



(b) (7)(E)

Yuma Sector



(b) (7)(E)

(b) (7)(E)



U.S. Customs and  
Border Protection

January 24, 2008

MEMORANDUM FOR: PAUL A. BEESON  
CHIEF PATROL AGENT  
YUMA, ARIZONA

FROM: (b) (6), (b) (7)(C)  
Border Patrol Agent (b) (7)(E)  
(b) (7)(E) California

SUBJECT: Discovered Rounds

On January 24, 2008 I was assigned patrol duties in and around the area of the (b) (7)(E) (b) (7)(E) in support of (b) (7)(E) Station agents. At approximately 1037 hours, I was approached by Service Officer (b) (6), (b) (7)(C) of the Imperial County Sheriff's Office (ICSO) who advised that a civilian, later identified as (b) (6), (b) (7)(C) had provided him with a firearms round that he had found in the area where Agent Aguilar had been killed. (b) (6), (b) (7)(C) further advised that (b) (6), (b) (7)(C) had found the round while searching the area for metals with a metal detector. (b) (6), (b) (7)(C) went on to state that (b) (6), (b) (7)(C) was still around the same area, in the event I wanted to contact him.

I took possession of the round, a (b) (7)(E) and placed it in an evidence bag. At approximately 1047 hours, I contacted SBPA (b) (6), (b) (7)(C) who responded to my location. I explained to SBPA (b) (6), (b) (7)(C) of the incident and in turn he advised me to make contact with (b) (6), (b) (7)(C) and obtain his information.

At approximately 1049 hours, I drove to the area where (b) (6), (b) (7)(C) was located and asked if I could talk to him and he agreed. I asked (b) (6), (b) (7)(C) if he was the person who had found the round, and he stated that he belongs to a club who searches for metals utilizing metal detectors. (b) (6), (b) (7)(C) explained that while he was searching the area he found the round and contacted the Service Officer from ICSO. I then asked if he could provide his contact information in the event he needed to be contacted. (b) (6), (b) (7)(C) went on to state that (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) He then provided his contact information, displayed below.

After obtaining his information, I made contact with SBPA (b) (6), (b) (7)(C) who advised he had called (b) (7)(E) Station and that a supervisor was en-route. Shortly thereafter, SBPA (b) (6), (b) (7)(C) from the Station responded. While he was speaking with SBPA (b) (6), (b) (7)(C) approached me and handed me another round, same make and caliber. I took possession of the round and placed



(b) (7)(E)

Yuma Sector



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it in a separate evidence bag. I asked (b) (6), (b) (7)(C) if he could show me where he had found the rounds and he did. With my service issued GPS, I obtained the coordinates of the location the rounds were found. The first round was found at approximately (b) (7)(E). The second round was found at approximately (b) (7)(E).

After documenting the coordinates, I turned over the rounds and (b) (6), (b) (7)(C) contact information to SBPA (b) (6), (b) (7)(C) and this concluded my involvement regarding this incident.

(b) (6), (b) (7)(C) contact information is as follows:

(b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



## DIGITAL PHOTOGRAPHS

The following photographs are attached in the sequence shown:

PHOTOGRAPH NUMBER:	DATE TAKEN:	DESCRIPTION:
1	01/19/08	Overall aerial view of incident area.
2	01/19/08	Southeast side overview of incident area.
3	01/19/08	North side overview of incident area.
4	01/19/08	Overview of incident area.
5	01/19/08	Incident scene at (b) (7)(E)
6	01/19/08	Incident area facing east.
7	01/19/08	Incident area facing west.
8	01/19/08	Intersection of (b) (7)(E) entrance. AGUILAR is covered with a blue blanket in the background.
9	01/19/08	Intersection of (b) (7)(E) entrance. Orange cones placed by CHP to mark and protect scene evidence.
10	01/19/08	Intersection of (b) (7)(E) entrance. AGUILAR was standing near the pictured stop sign when struck.
11	01/19/08	AGUILAR covered with blue blanket at final point of rest.
12	01/19/08	Western perimeter of incident scene. (b) (6), (b) (7)(C), (b) (7)(E) (b) (6), (b) (7)(C), (b) (7)(E)
13	01/19/08	Intersection view of incident scene with first responding vehicles.
14	01/19/08	Intersection of (b) (7)(E) (b) (7)(E)
15	01/19/08	Striation marks left across the intersection roadway leading to AGUILAR's final point of rest.
16	01/19/08	Striation marks left on intersection roadway leading to AGUILAR's final point of rest.
17	01/19/08	Blue blanket covers AGUILAR at the final point of rest. Medical bags and responding vehicles remained on scene.
18	01/19/08	AGUILAR as found at final resting point. Air intake cover from suspect vehicle found in sand south of AGUILAR.
19	01/19/08	Air intake cover found on scene from suspect vehicle (referenced in Photograph #22).



(b) (7)(E)

Yuma Sector



20	01/19/08	AGUILAR at final point of rest. Second air intake cover from suspect vehicle located in sand northwest of AGUILAR.
21	01/19/08	Second air intake cover item found from suspect vehicle (referenced in Photograph #24).
22	01/19/08	AGUILAR at final point of rest. Both evidence items from suspect vehicle located southwest and northwest of AGUILAR.
23	01/19/08	AGUILAR at final point of rest prior to ICSO Coroner examination.
24	01/19/08	ICSO Coroner examination of AGUILAR at final point of rest.
25	01/19/08	ICSO Coroner examination of AGUILAR at final point of rest.
26	01/19/08	ICSO Coroner examination of AGUILAR at final point of rest.
27	01/19/08	ICSO Coroner examination of AGUILAR at final point of rest.
28	01/19/08	ICSO Coroner examination of AGUILAR.
29	01/19/08	ICSO Coroner examination of AGUILAR's head.
30	01/19/08	ICSO Coroner examination of AGUILAR's head.
31	01/19/08	ISCO Coroner examination of AGUILAR's head (reference photo-Graphs #40 and 41)
32	01/19/08	Abrasions to AGUILAR's right hand.
33	01/19/08	AGUILAR's body secured by ICSO Coroner.
34	01/19/08	U.S. flag draped over AGUILAR.
35	01/19/08	Overall incident scene after AGUILAR had been transported by ICSO Coroner.
36	01/19/08	Overall incident scene as (b) (7)(E) marked and documented evidence.
37	01/19/08	Overall incident scene as (b) (7)(E) marked and documented evidence.
38	01/19/08	Overall incident scene with evidence markers present.
39	01/19/08	Eastern (b) (7)(E) AGUILAR was standing in the area of the pictured stop sign when struck.
40	01/19/08	Eastern (b) (7)(E) Evidence markers are adjacent to where AGUILAR was standing when struck.
41	01/19/08	Scene evidence indicated with markers. Yellow markers designated for items that AGUILAR had on his person when struck.
42	01/19/08	Duty ammunition carried by AGUILAR that was strewn across the intersection indicated with red circles (evidence markers A-C).



(b) (7)(E)

Yuma Sector



43	01/19/08	Duty ammunition and magazine base plate carried by AGUILAR when struck.
44	01/19/08	Location of AGUILAR's final point of rest. Red circle indicates where ICSO Coroner marked the top of his head.
45	01/19/08	Blood that originated from AGUILAR. Evidence "D" indicates bullet found underneath him during the coroner examination.
46	01/19/08	Yellow evidence markers depict items that AGUILAR had on his person when struck.
47	01/19/08	Magazine spring belonging to AGUILAR that was located in sand approximately 6 feet from his final point of rest.
48	01/19/08	Empty magazine belonging to AGUILAR that was located in sand approximately 16 ½ feet from his final point of rest.
49	01/19/08	Area surrounding AGUILAR's final point of rest with evidence marked.
50	01/19/08	Evidence located along an erected permit sign. Sign was located approximately 27 ½ feet from AGUILAR's final point of rest.
51	01/19/08	Duty ammunition belonging to AGUILAR located approximately 27 feet from his final point of rest.
52	01/19/08	Duty ammunition belonging to AGUILAR located approximately 27 feet from his final point of rest.
53	01/19/08	Vehicle remote keyless entry device belonging to AGUILAR located approximately 15 feet from his final point of rest.
54	01/19/08	Government issued pen located in sand approximately 10 feet from AGUILAR's final point of rest.
55	01/19/08	Bottom portion of AGUILAR's government issued phone that was damaged during incident.
56	01/19/08	Department radio belonging to AGUILAR found in sand approximately 35 feet southwest of his final point of rest.
57	01/19/08	Incident scene at eastern corner of (b) (7)(E) (b) (7)(E)
58	01/19/08	Spikes that were ejected from the CTDD. Found approximately 60 feet east from AGUILAR's final point of rest.
59	01/19/08	Incident scene at intersection of (b) (7)(E) (b) (7)(E)
60	01/19/08	Broken cover to CTDD case found approximately 18 feet from AGUILAR's final point of rest.
61	01/19/08	Broken cover to CTDD case.
62	01/19/08	Incident scene with evidence marked.
63	01/19/08	Top cover to CTDD case.
64	01/19/08	Western corner of incident scene.



(b) (7)(E)

Yuma Sector



65	01/19/08	Air intake cover that was dislodged from the Hummer during the incident.
66	01/19/08	Second air intake cover that was dislodge from the Hummer during incident.
67	01/19/08	Overall of CTDD's found at the scene.
68	01/19/08	Evidence marker 18 is (b) (7)(E) CTDD that AGUILAR attempted to deploy. Evidence marker 21 is the (b) (7)(E) CTDD that was deployed by responding agents who feared that the truck would be returning through the area.
69	01/19/08	View of incident scene from eastern (b) (7)(E) Yellow flags leading off intersection to southwest indicate the Hummer's tire impressions.
70	01/19/08	Yellow flags used to mark tire sign belonging to Hummer as it fled the scene. Blue arrows illustrate direction.
71	01/22/08	Post mortem examination conducted by (b) (6), (b) (7)(C) M.D., Forensic Pathologist, at Frye's Chapel in Brawley, California.
72	01/22/08	Post mortem examination of AGUILAR by (b) (6), (b) (7)(C)
73	01/22/08	Trauma to AGUILAR's left leg.
74	01/22/08	Post mortem examination of AGUILAR by (b) (6), (b) (7)(C)
75	01/22/08	Post mortem examination of AGUILAR by (b) (6), (b) (7)(C)
76	01/22/08	Post mortem examination of AGUILAR by (b) (6), (b) (7)(C)
77	01/22/08	Post mortem examination (b) (6), (b) (7)(C) on AGUILAR's head.
78	01/22/08	Post mortem examination (b) (6), (b) (7)(C) to AGUILAR's (b) (6), (b) (7)(C)
79	01/22/08	Post mortem examination of AGUILAR by (b) (6), (b) (7)(C)
80	01/22/08	Post mortem examination of (b) (6), (b) (7)(C) over AGUILAR's (b) (6), (b) (7)(C)
81	01/22/08	Post mortem examination of (b) (6), (b) (7)(C) over AGUILAR's (b) (6), (b) (7)(C)
82	01/22/08	Post mortem examination of (b) (6), (b) (7)(C) over AGUILAR's (b) (6), (b) (7)(C)
83	01/22/08	Post mortem examination of (b) (6), (b) (7)(C) over AGUILAR's (b) (6), (b) (7)(C)
84	01/22/08	Post mortem examination of (b) (6), (b) (7)(C) over AGUILAR's (b) (6), (b) (7)(C)
85	01/22/08	Post mortem examination of (b) (6), (b) (7)(C) AGUILAR's (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



86	01/22/08	Post mortem examination of (b) (6), (b) (7)(C) AGUILAR's (b) (6), (b) (7)(C)
87	01/22/08	Post mortem x-ray taken of AGUILAR's (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
88	01/22/08	Post mortem examination of AGUILAR's (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
89	01/22/08	Post mortem examination of AGUILAR's (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
90	01/22/08	Post mortem examination of (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) AGUILAR's (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
91	01/22/08	Post mortem examination (b) (6), (b) (7)(C) AGUILAR's
92	01/22/08	Post mortem examination (b) (6), (b) (7)(C) AGUILAR's
93	01/22/08	Post mortem examination (b) (6), (b) (7)(C) AGUILAR's
94	01/22/08	Post mortem examination (b) (6), (b) (7)(C) AGUILAR's
95	01/22/08	Post mortem examination (b) (6), (b) (7)(C) AGUILAR's
96	01/22/08	Post mortem examination of AGUILAR's (b) (6), (b) (7)(C)
97	01/22/08	(b) (6), (b) (7)(C)
98	01/22/08	(b) (6), (b) (7)(C)
99	01/22/08	(b) (6), (b) (7)(C)
100	01/22/08	(b) (6), (b) (7)(C)
101	01/25/08	2003 H2 Hummer inspected for comparative value by (b) (7)(E) at (b) (6), (b) (7)(C)
102	01/25/08	Front end of 2003 H2 Hummer inspected by (b) (7)(E)
103	01/25/08	Front tow hitch assembly of inspected H2 Hummer. (b) (6), (b) (7)(C), (b) (7)(E) (b) (6), (b) (7)(C)
104	01/25/08	Front tow hitch assembly of inspected H2 Hummer. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
105	01/25/08	Comparison of (b) (6), (b) (7)(C) AGUILAR's (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
106	01/25/08	BF Goodrich All-Terrain T/A (LT315/70R17 D) factory stock tires on 2003 H2 Hummer.



(b) (7)(E)

Yuma Sector



107	01/25/08	BF Goodrich All-Terrain T/A (LT315/70R17 D) factory stock tires on 2003 H2 Hummer.
108	01/25/08	Front end of 2003 H2 Hummer. Air intake covers circled in red are similar to covers found on scene as evidence.
109	01/25/08	Location of air intake covers in relation to the hood and front windshield.
110	01/25/08	Interior of air intake cover to 2003 H2 Hummer.
111	01/25/08	Stock window treatment of 2003 H2 Hummer.
112	01/25/08	Stock window treatment to rear windows on 2003 H2 Hummer.
113	01/25/08	Stock tempered window glass on front doors. Transparency of 70% Minimum.

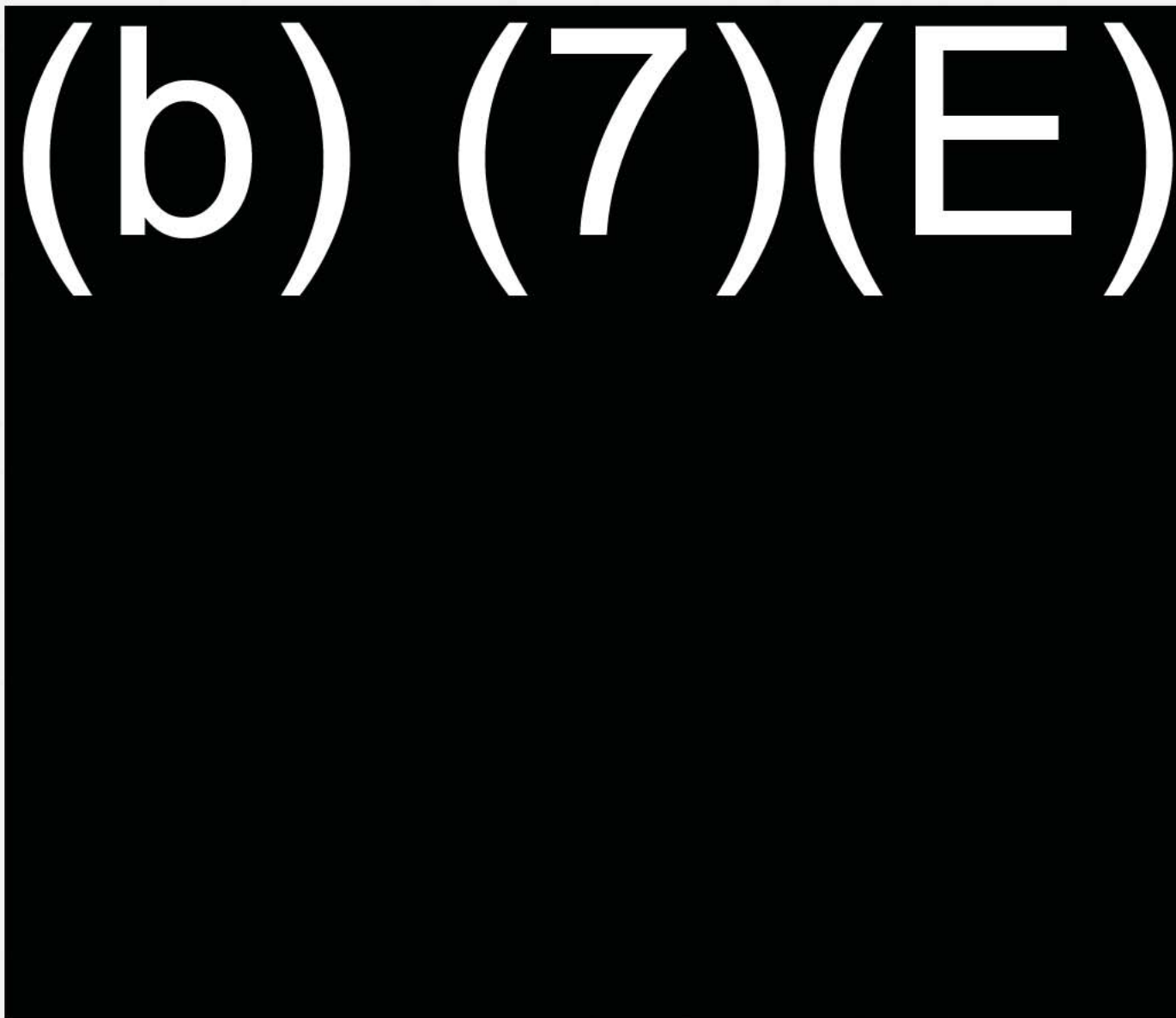


(b) (7)(E)

Yuma Sector



Digital Photograph 1 of 113



Photographer: (b) (6), (b) (7)(C)

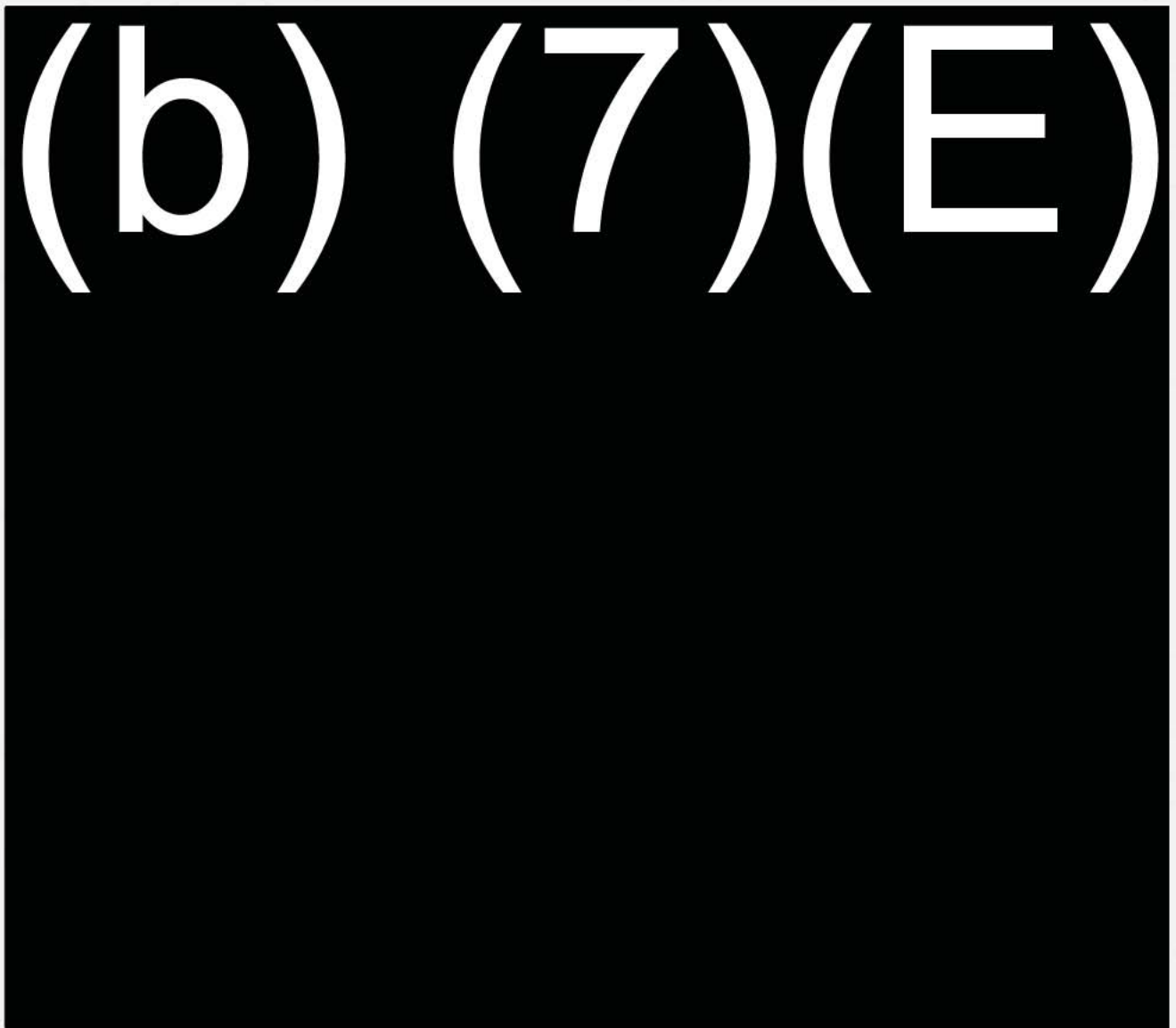


(b) (7)(E)



Yuma Sector

Digital Photograph 2 of 113



Photographer:

(b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 3 of 113



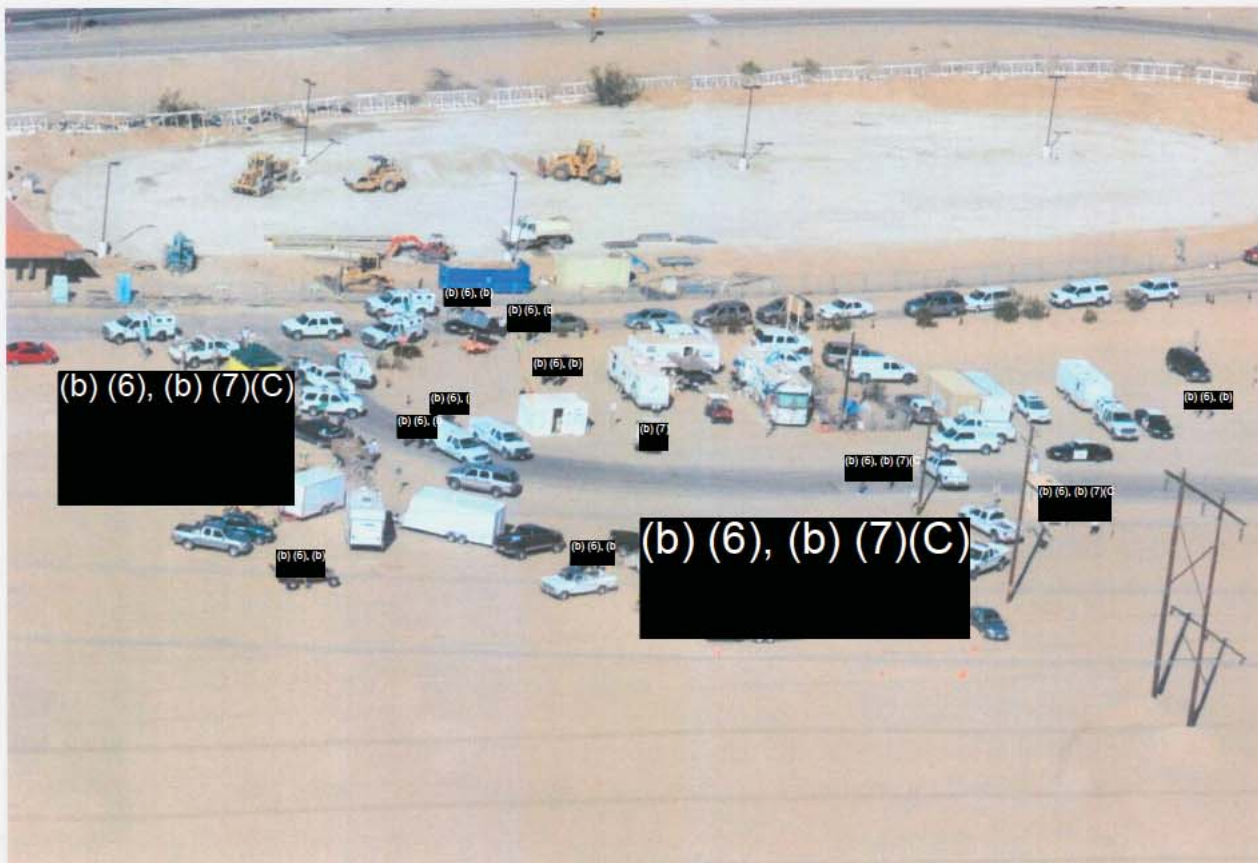
View: Aerial view, facing south.

Description: North side overview of incident area.

Photographer: SPA (b) (6), (b) (7)(C)

### Yuma Sector

Digital Photograph 4 of 113



**View:** Aerial view, facing north

**Description:** Overview of incident area.

Photographer: (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 5 of 113



View: Aerial view, facing northeast.

Description: Incident scene at (b) (7)(E).

Photographer: (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 6 of 113



View: Aerial view.

Description: Incident area facing east.

Photographer: (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 7 of 113



View: Aerial view.

Description: Incident area facing west.

Photographer: (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 8 of 113



View: Midrange facing southwest

Description: (b) (6), (b) (7)(C), (b) (7)(E)

Photographer: (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 9 of 113



View: Midrange facing southwest

Description: Intersection of (b) (7)(E)  
(b) (7)(E) Orange cones placed by CHP to mark and protect scene evidence.

Photographer: (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 10 of 113



View: Midrange facing north

Description: Intersection of (b) (7)(E)  
(b) (7)(E) AGUILAR was standing near the pictured stop sign when struck.

Photographer: (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 11 of 113



View: Midrange facing northeast

Description: (b) (6), (b) (7)(C)

Photographer: (b) (6), (b) (7)(C)

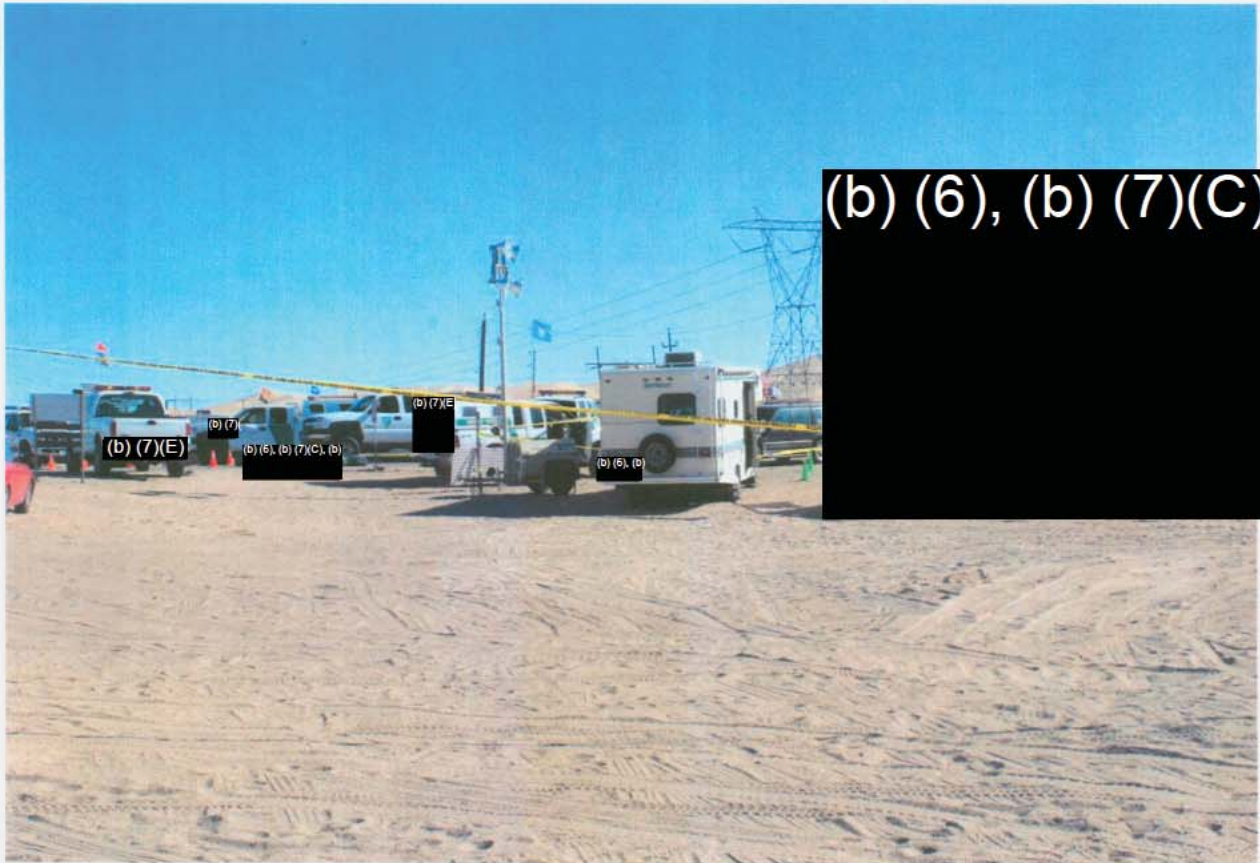


(b) (7)(E)



Yuma Sector

Digital Photograph 12 of 113



View: Midrange facing east

Description: Western perimeter of incident scene. (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

Photographer: (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 13 of 113



View: Midrange facing south

Description: Intersection view of incident scene with first responding vehicles.

Photographer: (b) (6), (b) (7)(C)

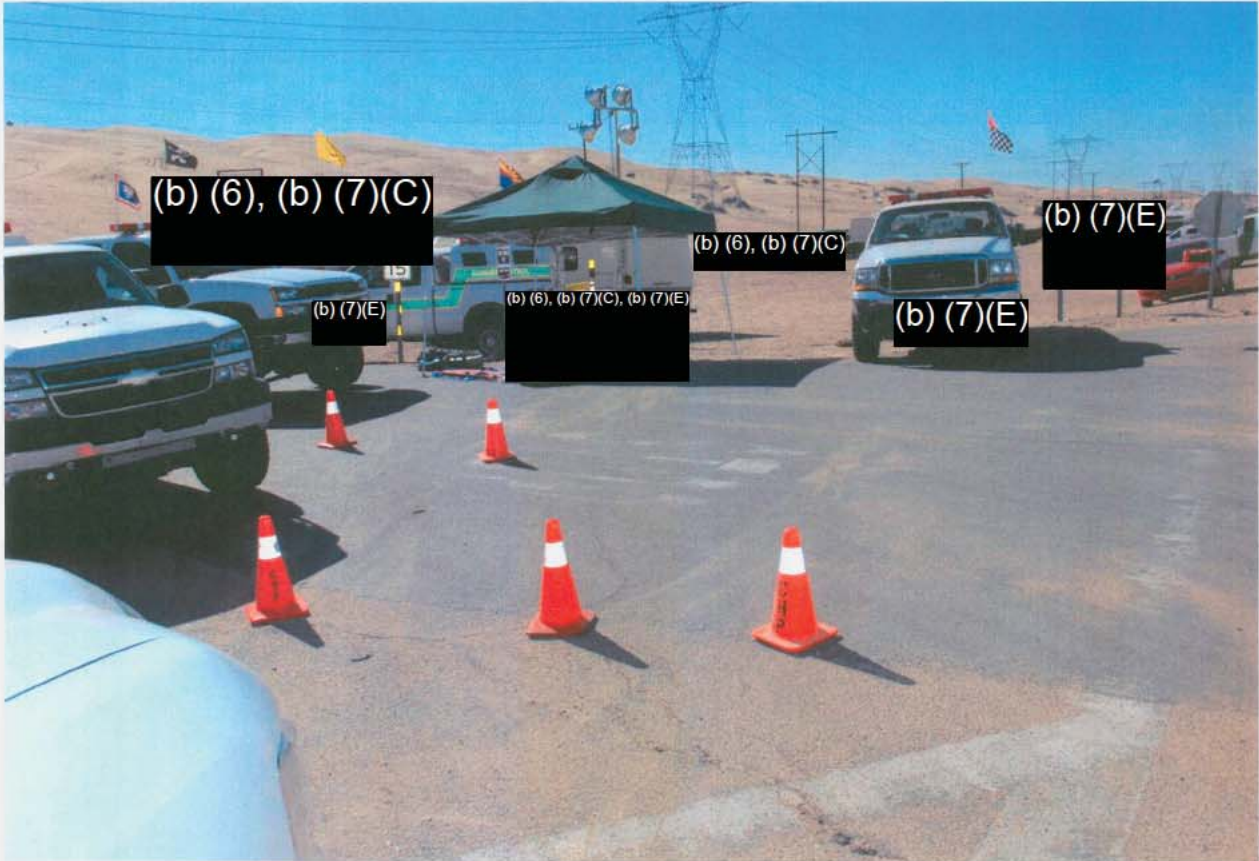


(b) (7)(E)

Yuma Sector



Digital Photograph 14 of 113



View: Midrange facing southwest

Description: Intersection of (b) (7)(E)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 15 of 113



View: Midrange facing southwest

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 16 of 113



View: Midrange facing southwest

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 17 of 113



View: Midrange facing southwest

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)

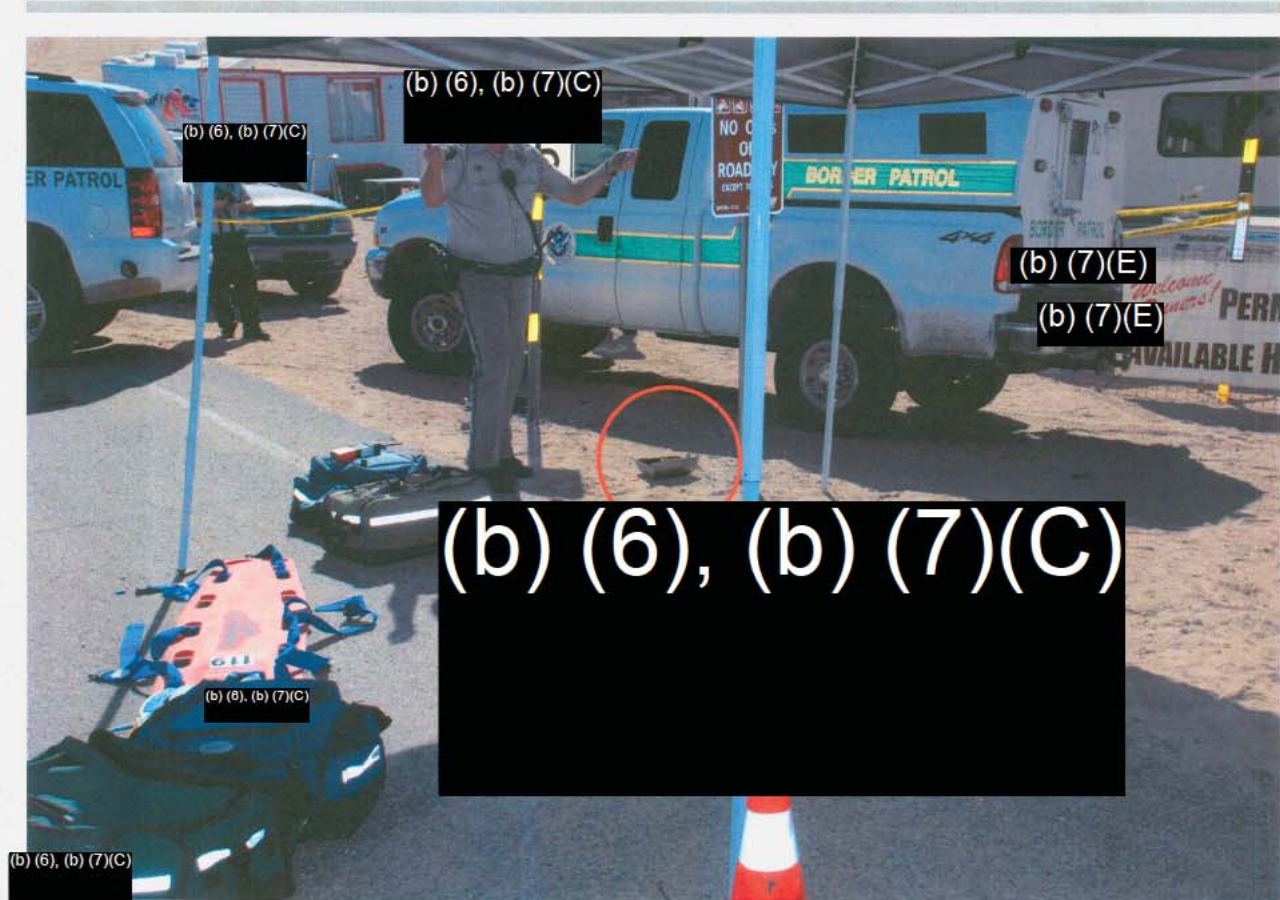


(b) (7)(E)

Yuma Sector



Digital Photograph 18 of 113



View: Midrange facing south

Description: (b) (6), (b) (7)(C) Air intake cover from suspect vehicle found in sand south of AGUILAR.

Photographer: ICSO (b) (6), (b) (7)(C)

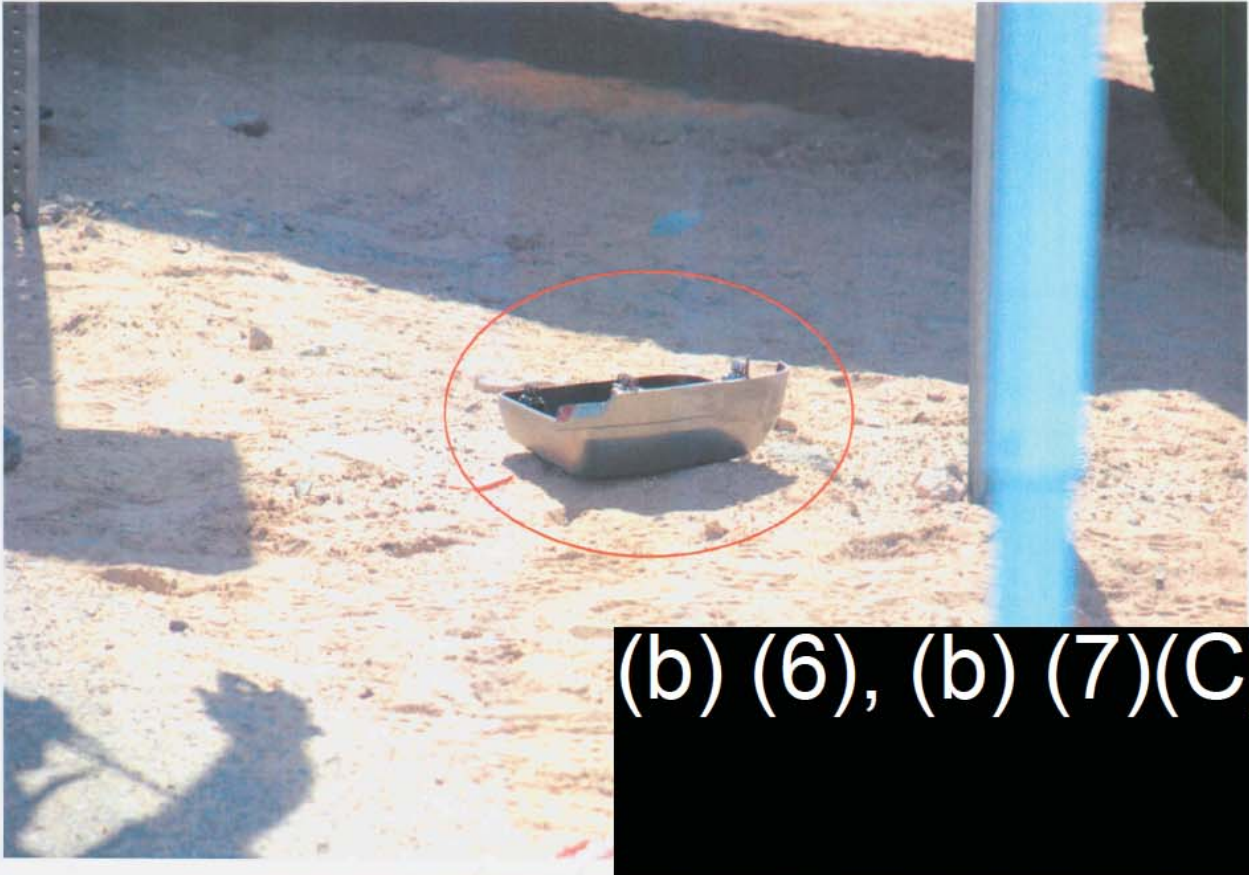


(b) (7)(E)

Yuma Sector



Digital Photograph 19 of 113



View: Close up facing south

Description: Air intake cover found on scene from suspect vehicle (referenced in Photograph #22).

Photographer: ICSO (b) (6), (b) (7)(C)

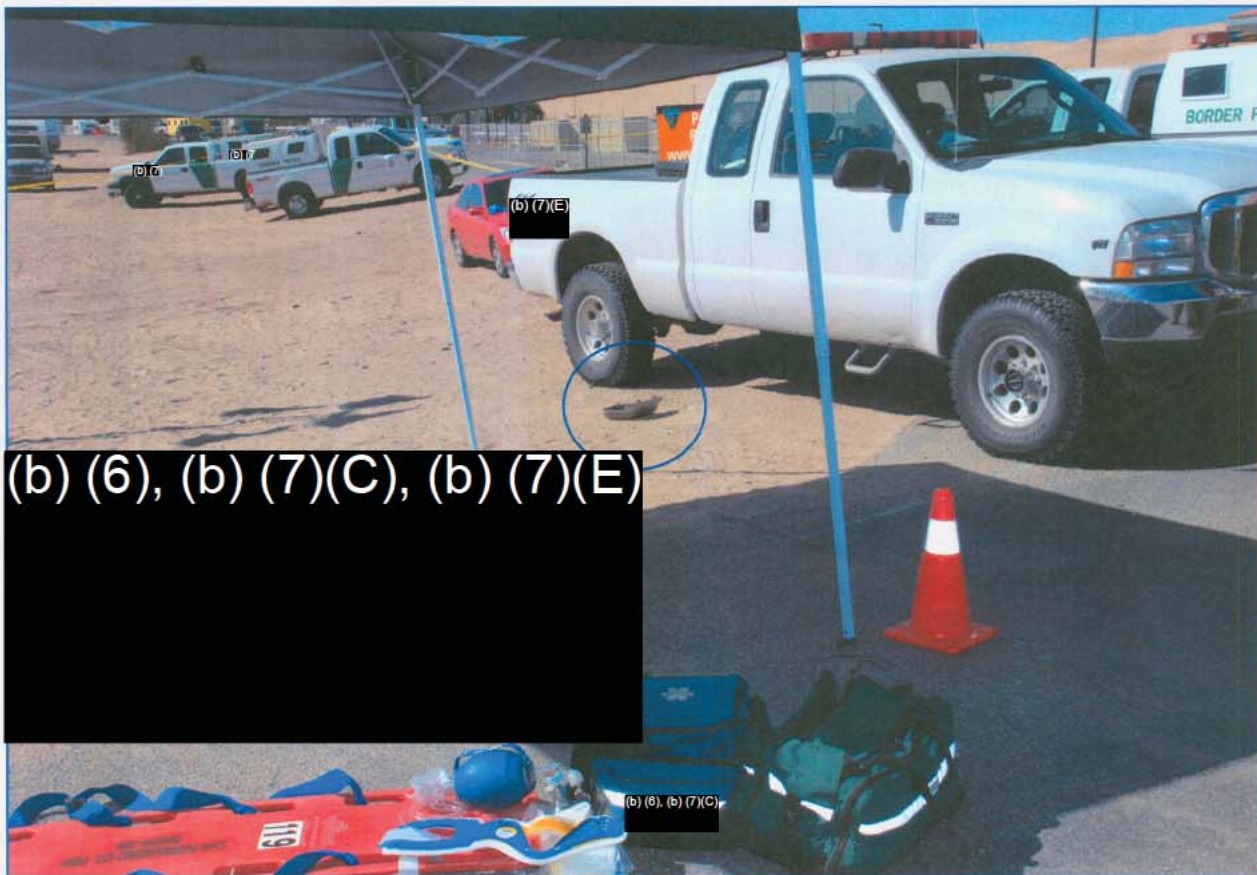


(b) (7)(E)

Yuma Sector



Digital Photograph 20 of 113



View:

Midrange facing west

Description:

(b) (6), (b) (7)(C) Second air intake cover from suspect vehicle located in sand northwest of AGUILAR.

Photographer:

ISCO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 21 of 113



View: Close up facing west

Description: Second air intake cover item found from suspect vehicle (referenced in Photograph #24).

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 22 of 113



View: Midrange facing north

Description: (b) (6), (b) (7)(C) Both air intake covers from suspect vehicle located southwest and northwest of AGUILAR.

Photographer: ICSO (b) (6), (b) (7)(C)

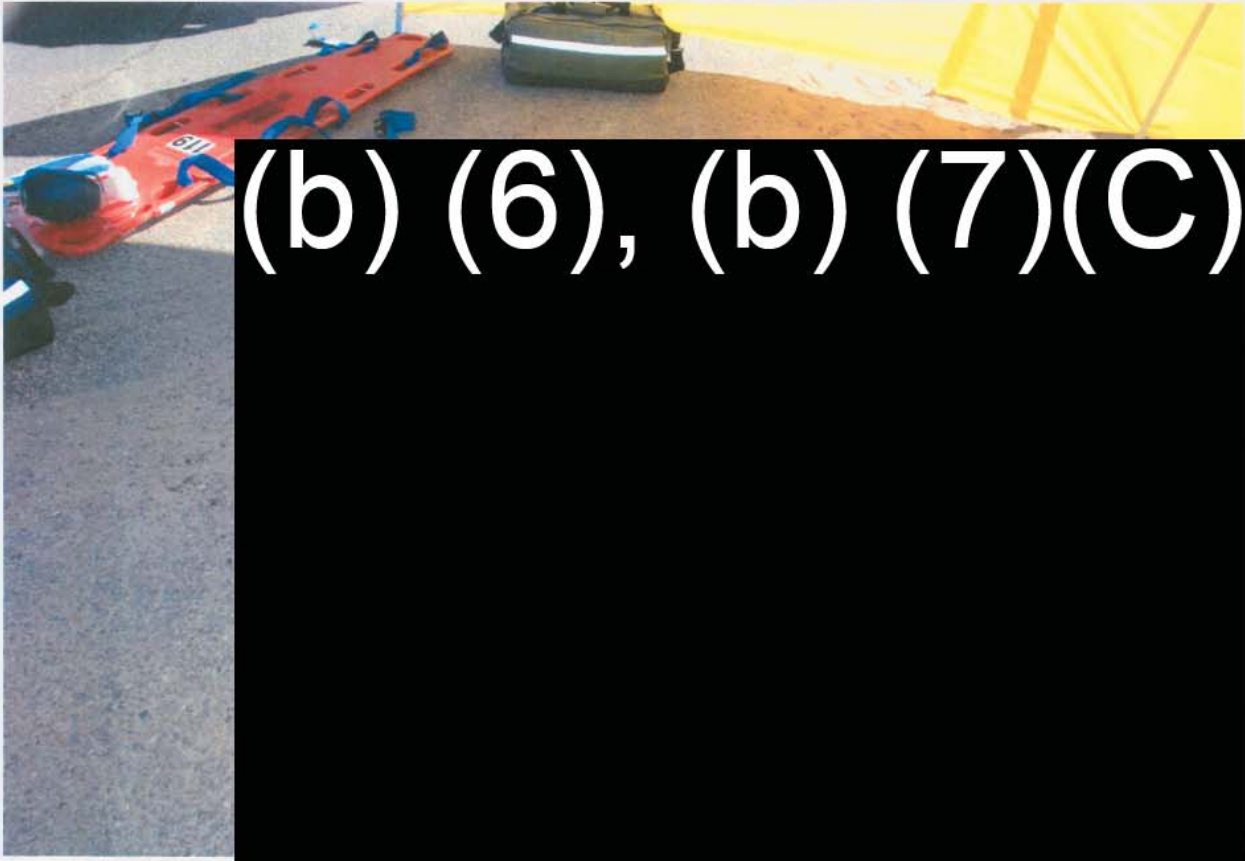


(b) (7)(E)

Yuma Sector



Digital Photograph 23 of 113



View: Midrange facing south

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 24 of 113

(b) (6), (b) (7)(C)

View: Midrange facing southwest

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)

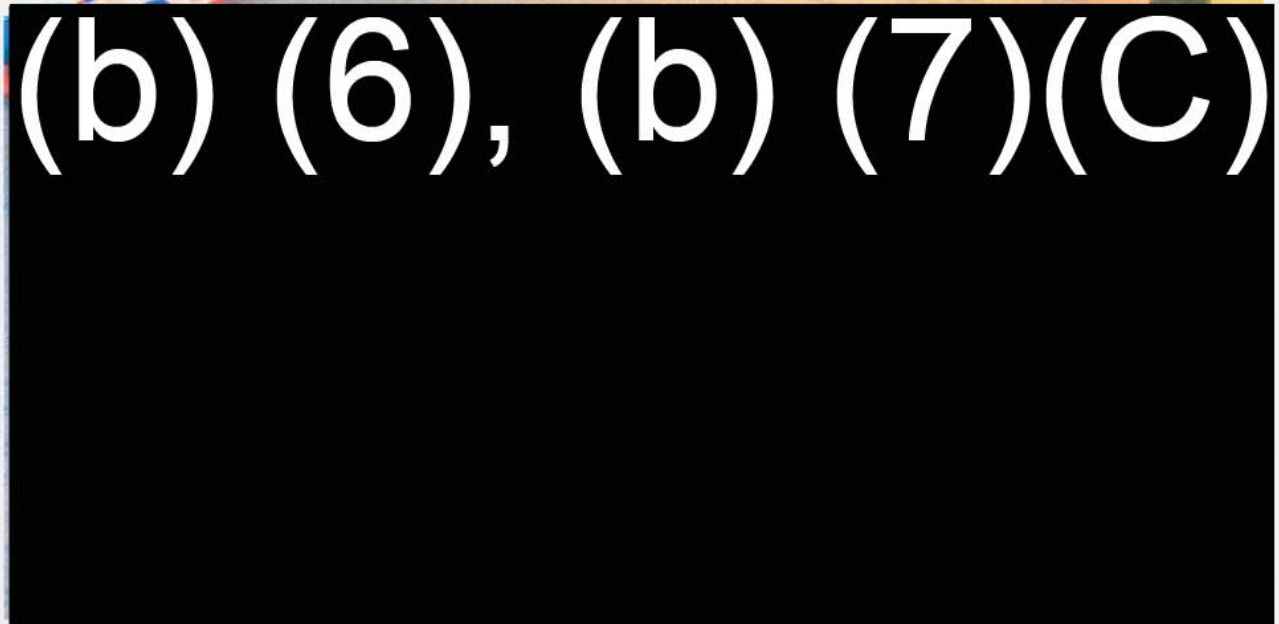


(b) (7)(E)

Yuma Sector



Digital Photograph 25 of 113



View: Midrange facing south

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)

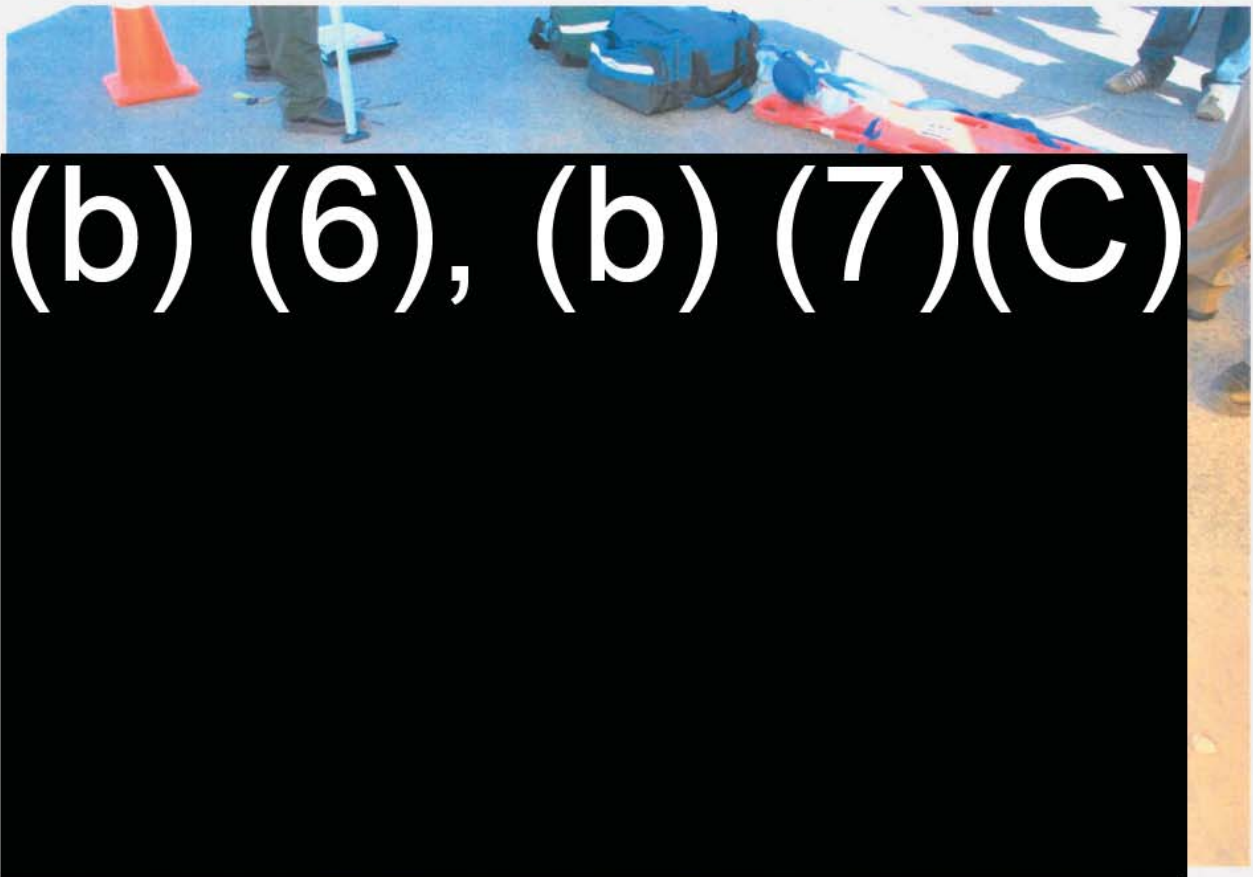


(b) (7)(E)

Yuma Sector



Digital Photograph 26 of 113



View: Midrange facing east

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 27 of 113

(b) (6), (b) (7)(C)

View: Midrange facing north

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 28 of 113



(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 29 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 30 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 31 of 113

(b) (6), (b) (7)(C)

View:

Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 32 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 33 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 34 of 113



View: Midrange facing northeast

Description: Chief Calhoon drapes the United States flag over AGUILAR.

Photographer: SBPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 35 of 113



View: Midrange facing southwest

Description: Overall incident scene after AGUILAR had been transported by ICSO Coroner.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 36 of 113



View: Midrange facing southwest

Description: Overall incident scene as (b) (7)(E) marked and documented evidence.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 37 of 113



View: Midrange facing southeast

Description: Overall incident scene as (b) (7)(E) marked and documented evidence.

Photographer: SPA (b) (6), (b) (7)(C)

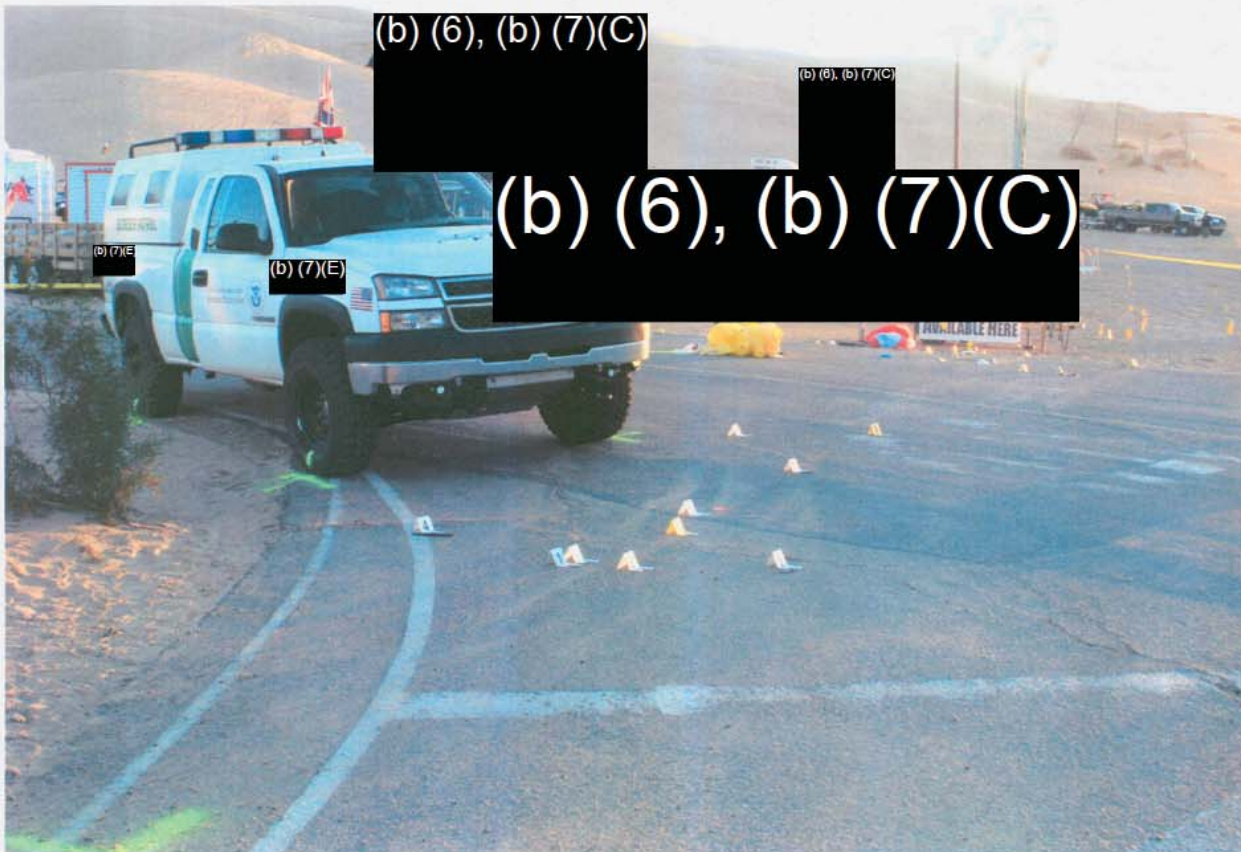


(b) (7)(E)

Yuma Sector



Digital Photograph 38 of 113



View: Midrange facing southwest

Description: Overall incident scene with evidence markers present.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 39 of 113



View: Midrange facing east

Description: (b) (6), (b) (7)(C), (b) (7)(E)

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 40 of 113



View: Midrange facing southeast

Description:

(b) (6), (b) (7)(C), (b) (7)(E)

Photographer:

SPA (b) (6), (b) (7)(C)

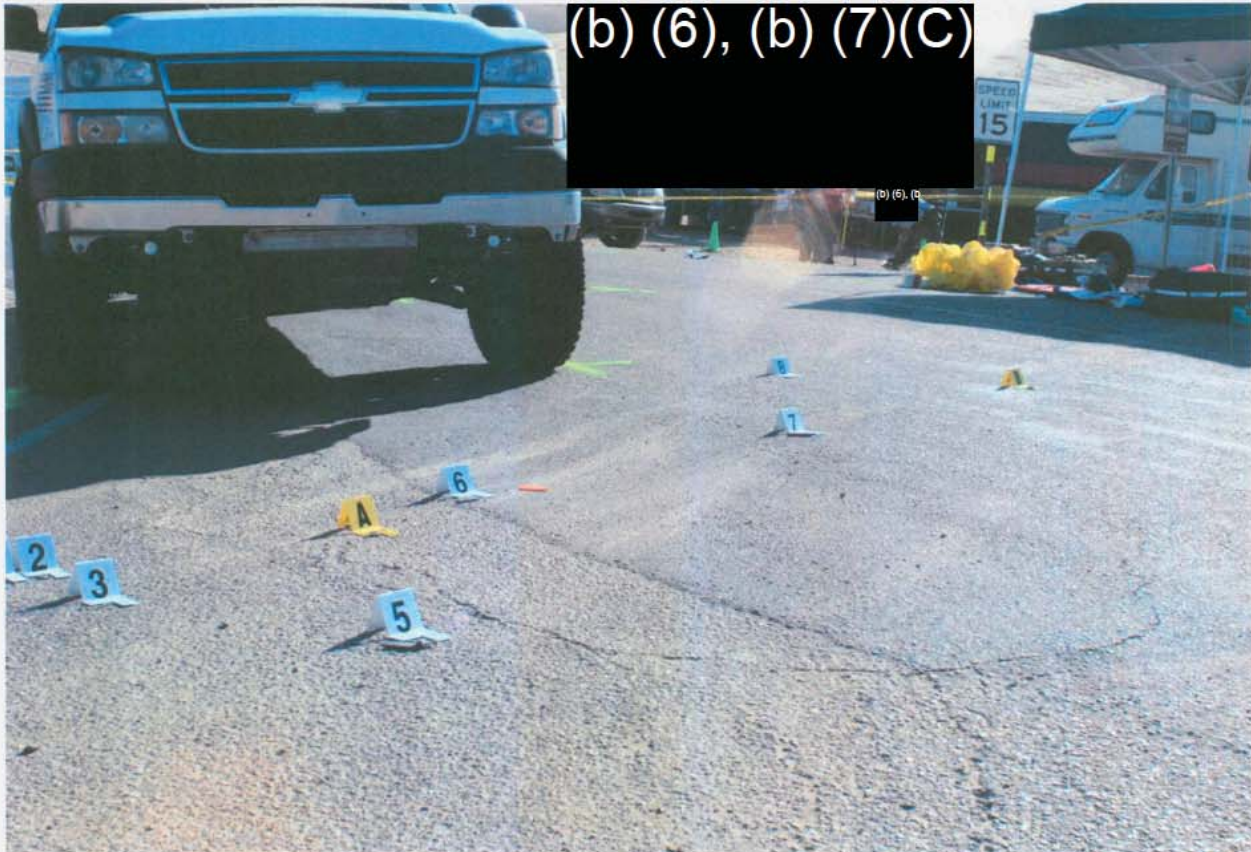


(b) (7)(E)



Yuma Sector

Digital Photograph 41 of 113



View: Midrange facing southwest

Description:

(b) (6), (b) (7)(C), (b) (7)(E)

Photographer:

SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 42 of 113



View: Overall facing south

Description:

(b) (6), (b) (7)(C), (b) (7)(E)

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 43 of 113



View: Close up

Description: Duty ammunition and magazine base plate carried by AGUILAR when struck.

Photographer: SPA (b) (6), (b) (7)(C)

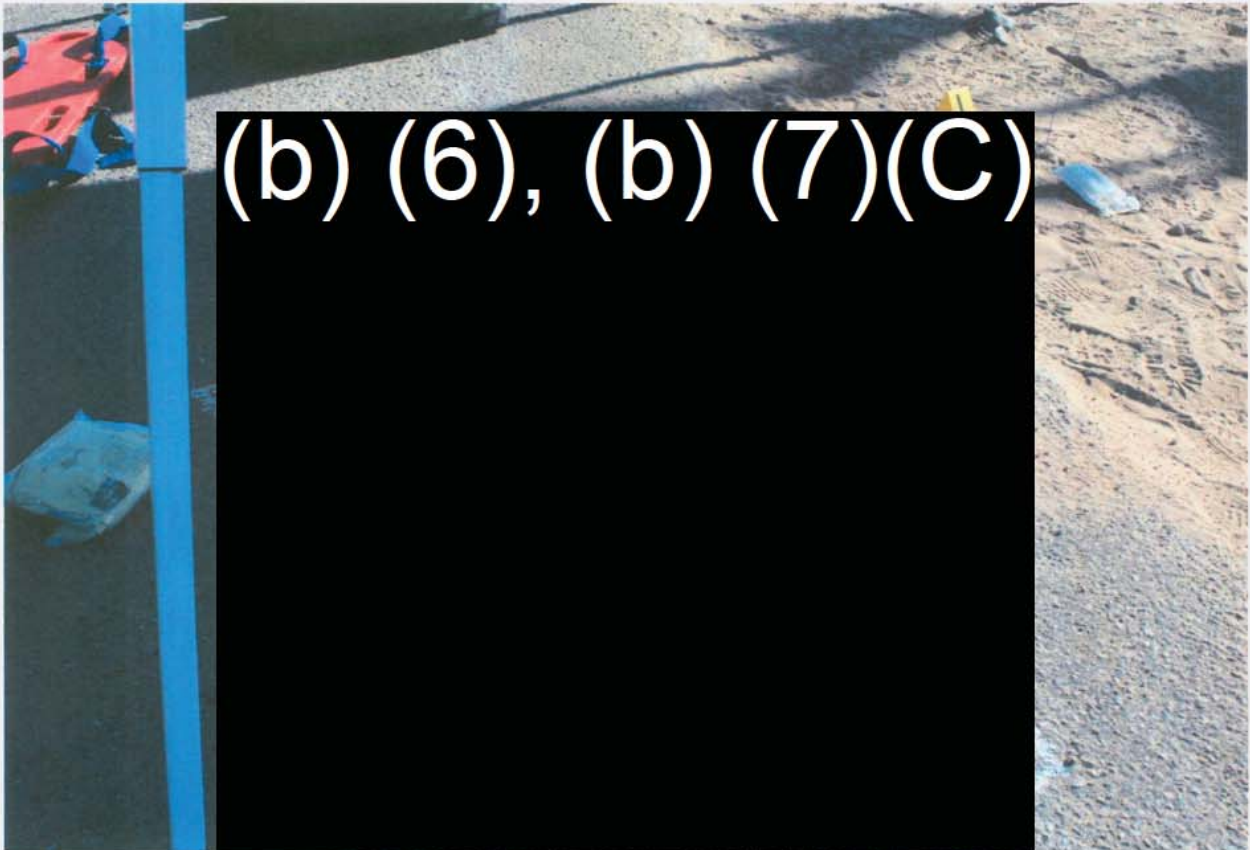


(b) (7)(E)



Yuma Sector

Digital Photograph 44 of 113



View: Close up

Description:

(b) (6), (b) (7)(C)

Photographer: SPA (b) (6), (b) (7)(C)

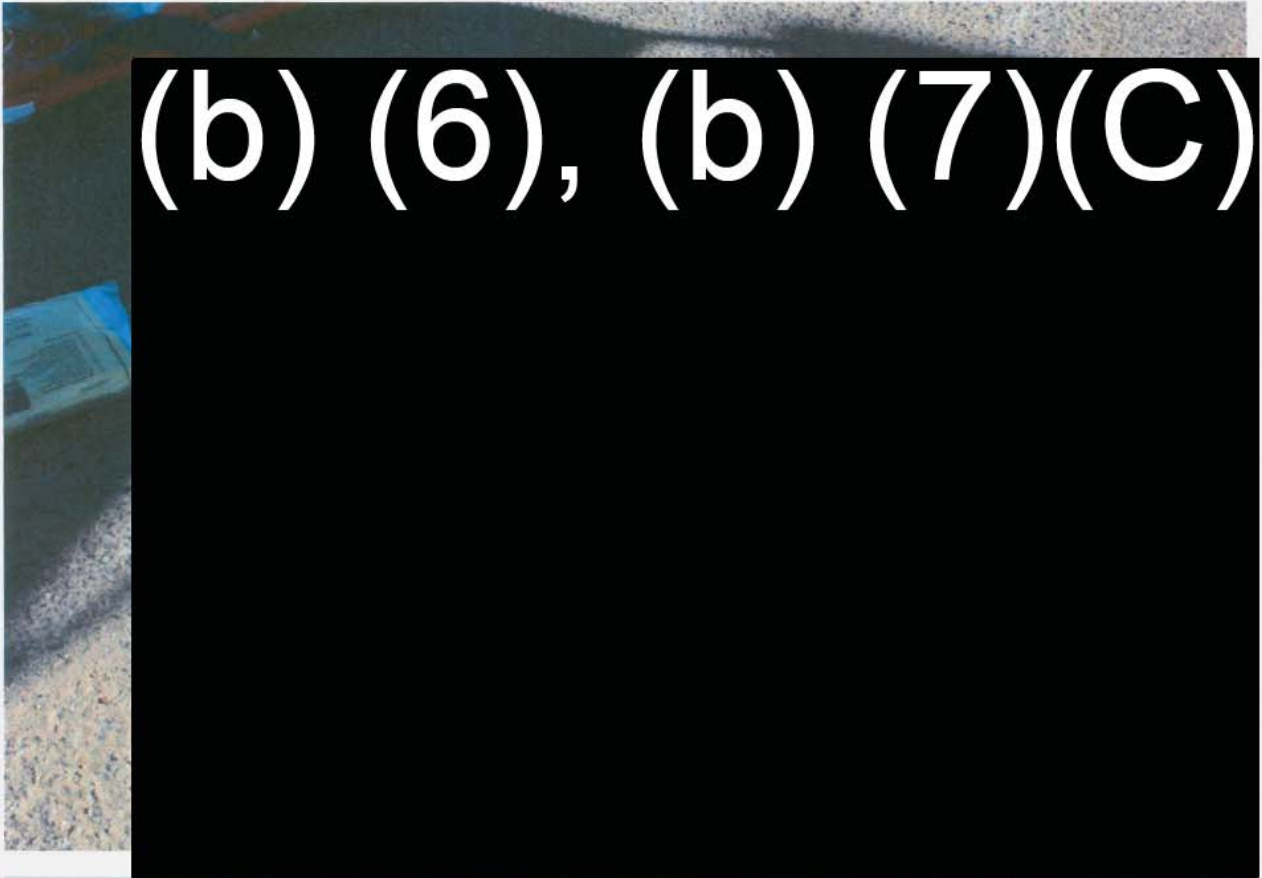


(b) (7)(E)



Yuma Sector

Digital Photograph 45 of 113



View: Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

SPA (b) (6), (b) (7)(C)

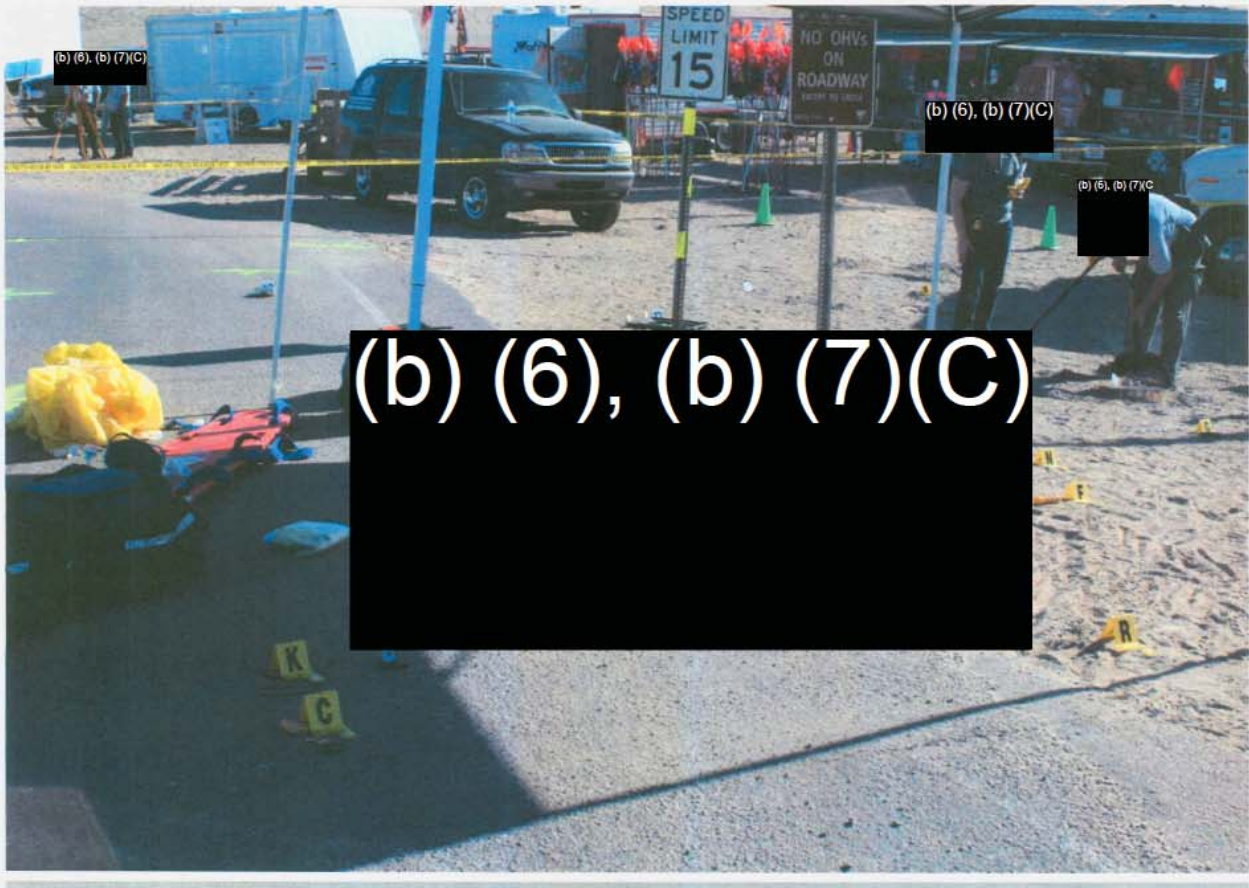


(b) (7)(E)



Yuma Sector

Digital Photograph 46 of 113



View: Midrange facing south

Description:

(b) (7)(E)

Photographer:

SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 47 of 113



View: Close up

Description: Magazine spring belonging to AGUILAR that was located in sand approximately 6 feet from his final point of rest.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 48 of 113



View: Close up

Description: Empty magazine belonging to AGUILAR that was located in sand approximately 16 ½ feet from his final point of rest.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 49 of 113



View: Midrange facing south

Description: Area surrounding AGUILAR's final point of rest with evidence marked.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 50 of 113



View: Close up

Description: Evidence located along an erected permit sign. Sign was located approximately 27 ½ feet west of AGUILAR's final point of rest.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 51 of 113



View: Close up

Description: Duty ammunition belonging to AGUILAR located approximately 27 feet west of his final point of rest.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 52 of 113



View: Close up

Description: Duty ammunition belonging to AGUILAR located approximately 27 feet west of his final point of rest.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 53 of 113



View: Close up

Description: Vehicle remote keyless entry device belonging to AGUILAR located approximately 15 feet west of his final point of rest.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 54 of 113



View: Close up

Description: Government issued pen located in sand approximately 10 feet west of AGUILAR's final point of rest.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 55 of 113



View: Close up

Description: Bottom portion of AGUILAR's government issued phone that was destroyed during incident.

Photographer: SPA (b) (6), (b) (7)(C)

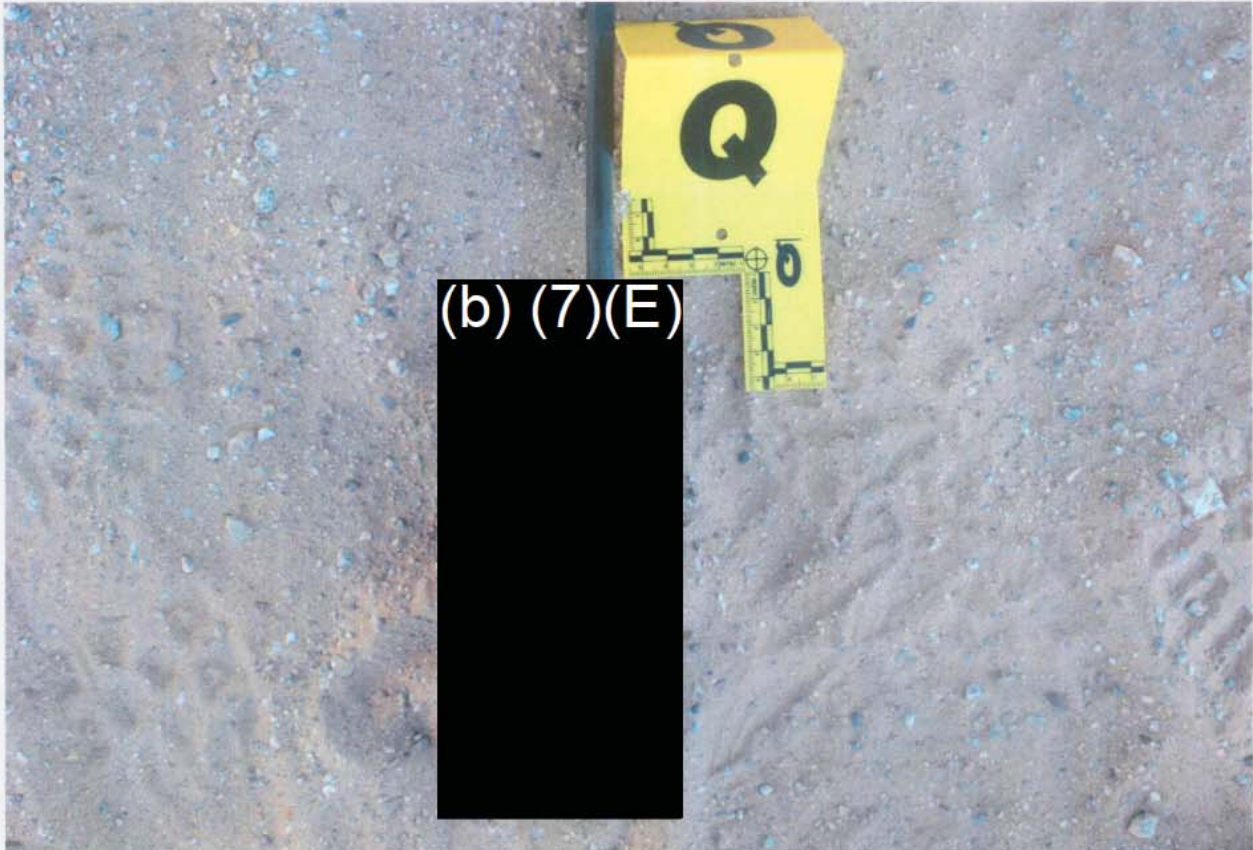


(b) (7)(E)

Yuma Sector



Digital Photograph 56 of 113



View: Close up

Description: Department radio belonging to AGUILAR found in sand approximately 35 feet southwest of his final point of rest.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 57 of 113



View: Midrange facing south

Description: Incident scene at eastern corner of (b) (7)(E)  
(b) (7)(E)

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 58 of 113



View: Close up

Description: Spikes that were ejected from the CTDD. Found approximately 60 feet east from AGUILAR's final point of rest.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 59 of 113



View: Midrange facing north

Description: Incident scene at intersection of (b) (7)(E)  
(b) (7)(E)

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 60 of 113



View: Close up

Description: Broken cover to CTDD case found approximately 18 feet east of AGUILAR's final point of rest.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 61 of 113



View: Close up

Description: Broken cover to CTDD case.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 62 of 113



View: Midrange facing northeast

Description: Incident scene with evidence marked.

Photographer: SPA (b) (6), (b) (7)(C)

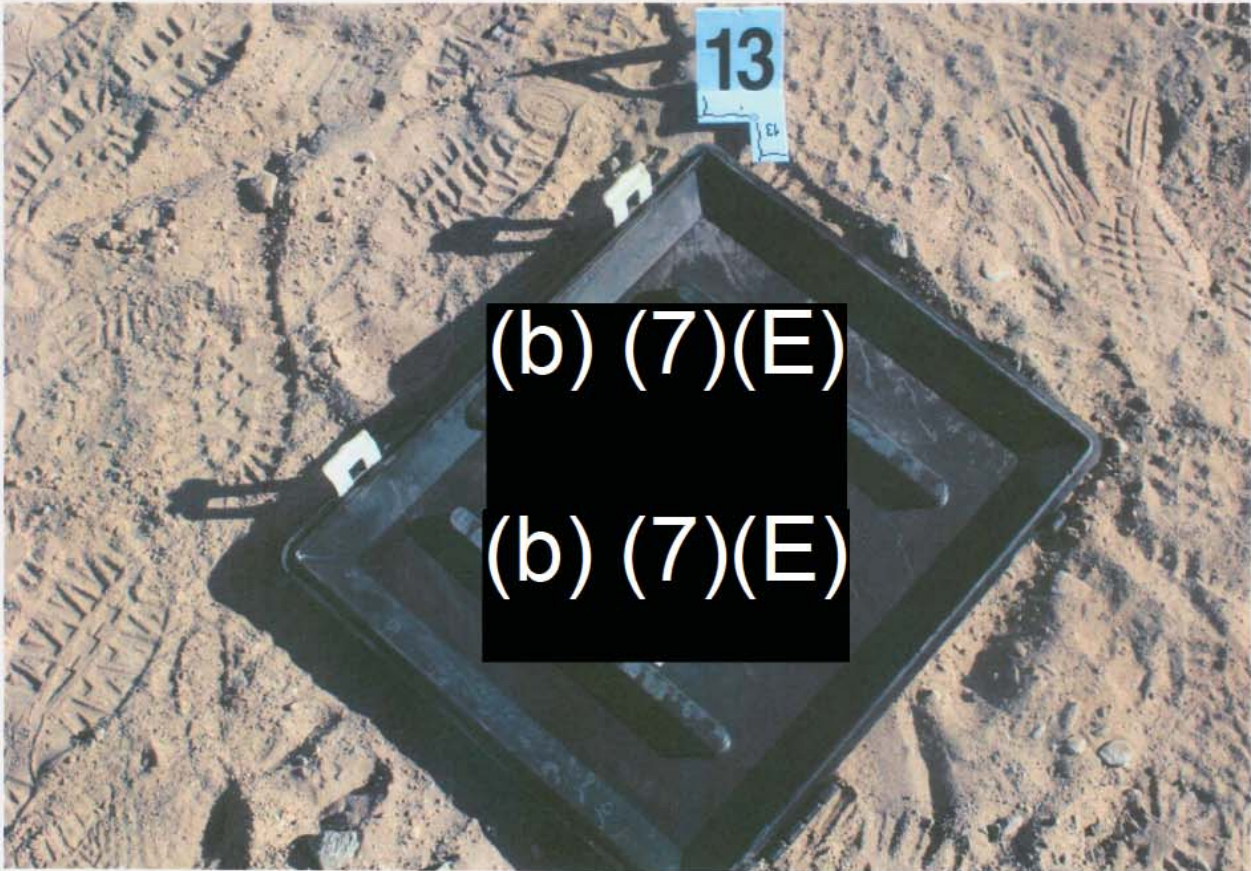


(b) (7)(E)

Yuma Sector



Digital Photograph 63 of 113



View: Close up

Description: Top cover to CTDD case.

Photographer: SPA (b) (6), (b) (7)(C)

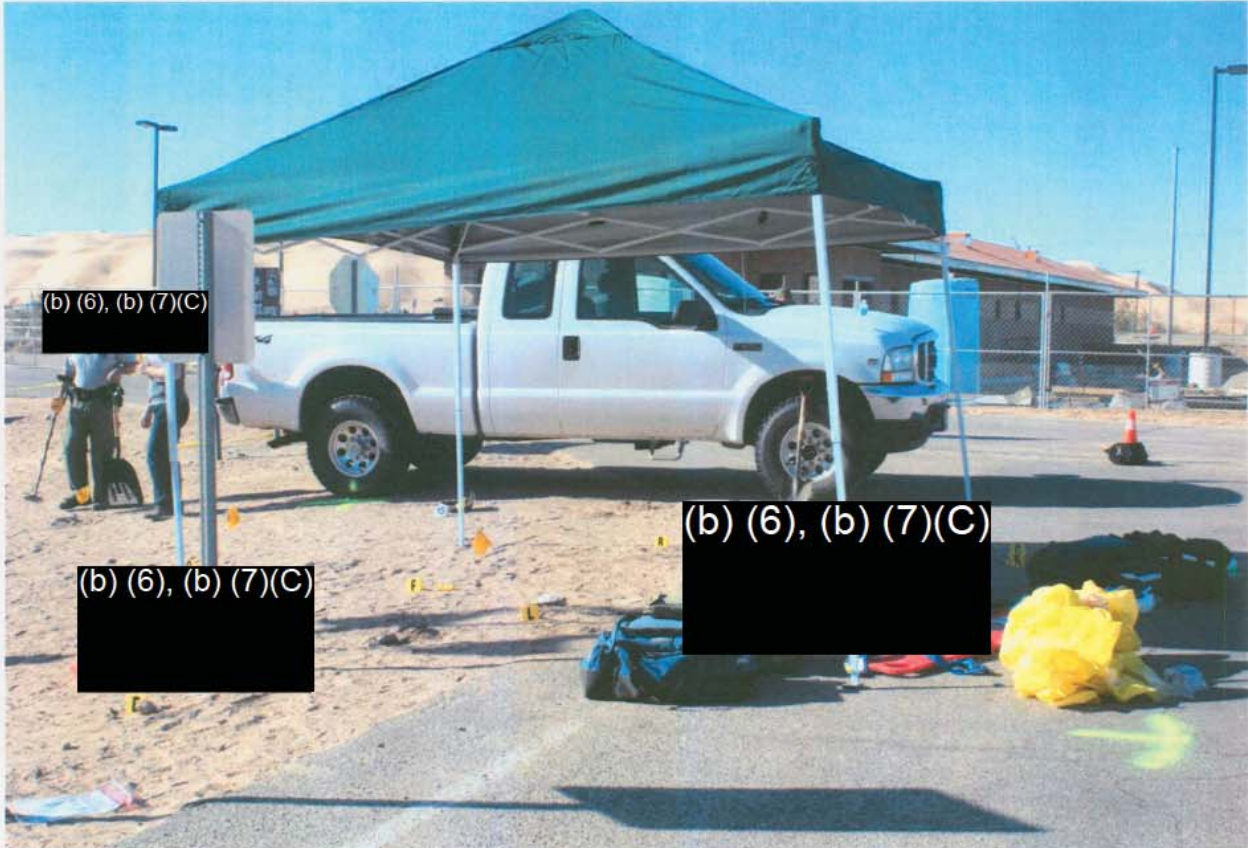


(b) (7)(E)

Yuma Sector



Digital Photograph 64 of 113



View: Midrange racing north

Description: Western corner of incident scene.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 65 of 113



View: Close up

Description: Air intake cover that was dislodged from the Hummer during the incident.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 66 of 113



View: Close up

Description: Second air intake cover that was dislodge from the Hummer during incident.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 67 of 113



View: Midrange facing north

Description: Overall of CTDD's found at the scene.

Photographer: SPA (b) (6), (b) (7)(C)

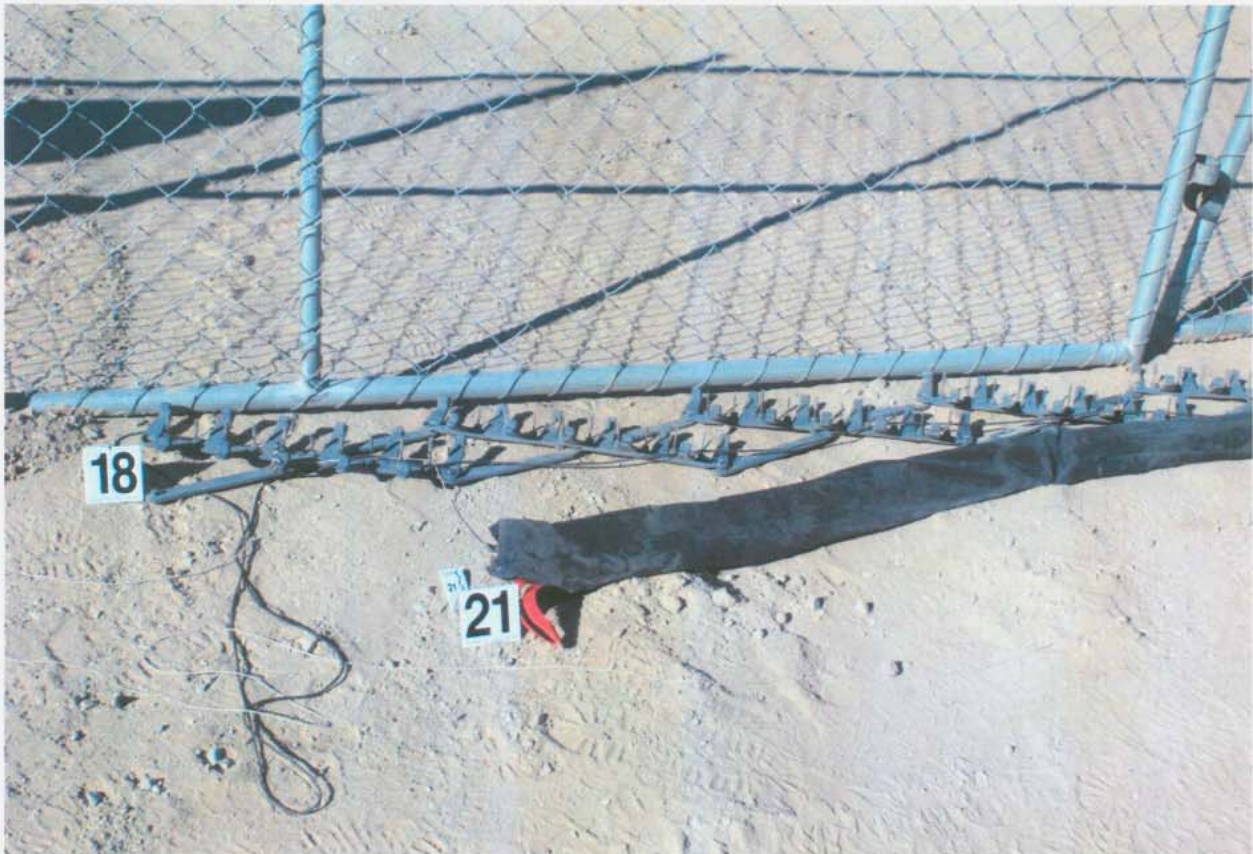


(b) (7)(E)

Yuma Sector



Digital Photograph 68 of 113



View: Close up

Description: Evidence marker 18 is the (b) (7)(E) CTDD that AGUILAR attempted to deploy. Evidence marker 21 is the (b) (7)(E) CTDD that was deployed by responding agents who feared that the truck would be returning through the area.

Photographer: SPA (b) (6), (b) (7)(C)

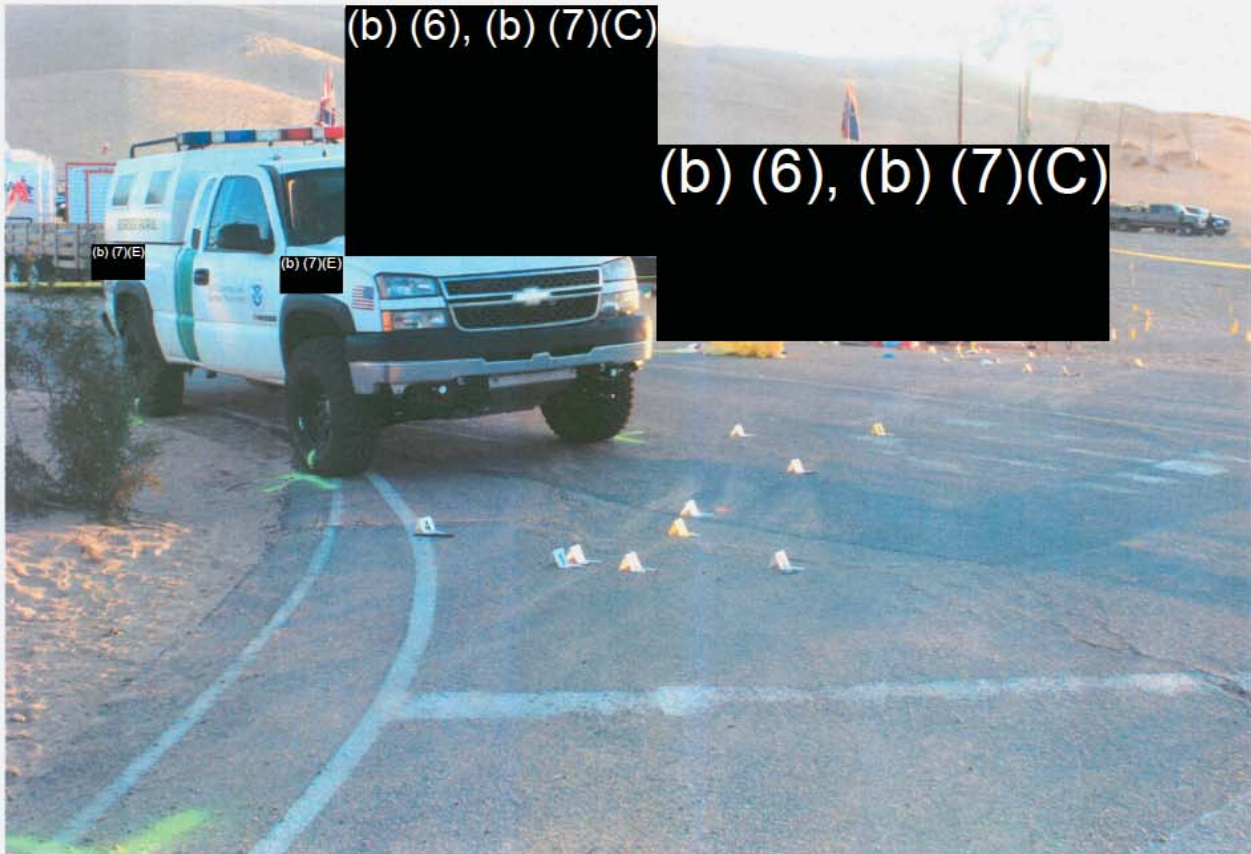


(b) (7)(E)



Yuma Sector

Digital Photograph 69 of 113



**View:** Midrange facing southwest

**Description:** View of incident scene from eastern intersection corner. Yellow flags leading off intersection to southwest indicate the Hummer's tire impressions.

**Photographer:** SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 70 of 113



View: Midrange facing southwest

Description: Yellow flags used to mark tire impressions belonging to Hummer as it fled the scene. Blue arrows illustrate direction.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 71 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 72 of 113

(b) (6), (b) (7)(C)

View: Midrange

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 73 of 113

(b) (6), (b) (7)(C)

View: Midrange

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 74 of 113

(b) (6), (b) (7)(C)

View: Midrange

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 75 of 113

(b) (6), (b) (7)(C)

View: Midrange

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 76 of 113

(b) (6), (b) (7)(C)

View: Midrange

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 77 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 78 of 113

(b) (6), (b) (7)(C)

View: Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 80 of 113

(b) (6), (b) (7)(C)

View: Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 81 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 82 of 113

(b) (6), (b) (7)(C)

View:

Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 83 of 113

(b) (6), (b) (7)(C)

View: Midrange

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 84 of 113

(b) (6), (b) (7)(C)

View:

Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 85 of 113

(b) (6), (b) (7)(C)

View:

Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 86 of 113

(b) (6), (b) (7)(C)

View: Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 87 of 113

(b) (6), (b) (7)(C)

View:

Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 88 of 113

(b) (6), (b) (7)(C)

View:

Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 89 of 113

(b) (6), (b) (7)(C)

View:

Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 90 of 113

(b) (6), (b) (7)(C)

View: Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 91 of 113

(b) (6), (b) (7)(C)

View: Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 92 of 113

(b) (6), (b) (7)(C)

View:

Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 93 of 113

(b) (6), (b) (7)(C)

View:

Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 94 of 113

(b) (6), (b) (7)(C)

View:

Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 95 of 113

(b) (6), (b) (7)(C)

View: Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 96 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 97 of 113

(b) (6), (b) (7)(C)

View: Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 98 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 99 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C)

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 100 of 113

(b) (6), (b) (7)(C)

View: Close up

Description: (b) (6), (b) (7)(C), (b) (7)(E) .

Photographer: ICSO (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 101 of 113



View: Overall facing northeast

Description: 2003 H2 Hummer inspected for comparative value by Yuma Sector (b) (7)(E) at (b) (6), (b) (7)(C), Arizona.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 102 of 113



View: Midrange facing east

Description: Front end of 2003 H2 Hummer inspected by (b) (7)(E)

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 103 of 113



View:

Close up

Description:

Front end of 2003 H2 Hummer inspected by

(b) (7)(E)

(b) (6), (b) (7)(C), (b) (7)(E)

Photographer:

SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 104 of 113



View: Close up

Description: Front tow hitch assembly of inspected H2 Hummer.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 105 of 113

(b) (6), (b) (7)(C)

View: Close up

Description:

(b) (6), (b) (7)(C)

Photographer:

ICSO (b) (6), (b) (7)(C) / SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 106 of 113



View: Close up

Description: BF Goodrich All-Terrain T/A (LT315/70R17 D) factory stock tires on 2003 H2 Hummer.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 107 of 113



View: Close up

Description: BF Goodrich All-Terrain T/A (LT315/70R17 D) factory stock tires on 2003 H2 Hummer.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 108 of 113



View: Midrange facing east

Description: Front end of 2003 H2 Hummer. Air intake covers circled in red are similar to covers found on scene as evidence.

Photographer: SPA (b) (7)(E)



(b) (7)(E)



Yuma Sector

Digital Photograph 109 of 113



View: Close up

Description: Location of air intake covers in relation to the hood and front windshield.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)

Yuma Sector



Digital Photograph 110 of 113



View: Close up

Description: Interior of air intake cover to 2003 H2 Hummer.

Photographer: SPA (b) (7)(E)



(b) (7)(E)



Yuma Sector

Digital Photograph 111 of 113



View: Midrange facing northwest

Description: Stock window treatment of 2003 H2 Hummer.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 112 of 113



View: Midrange facing northwest

Description: Stock window treatment to rear windows on 2003 H2 Hummer.

Photographer: SPA (b) (6), (b) (7)(C)



(b) (7)(E)



Yuma Sector

Digital Photograph 113 of 113



View: Close up

Description: Stock tempered window glass on front doors. Transparency of 70% Minimum.

Photographer: SPA (b) (6), (b) (7)(C)

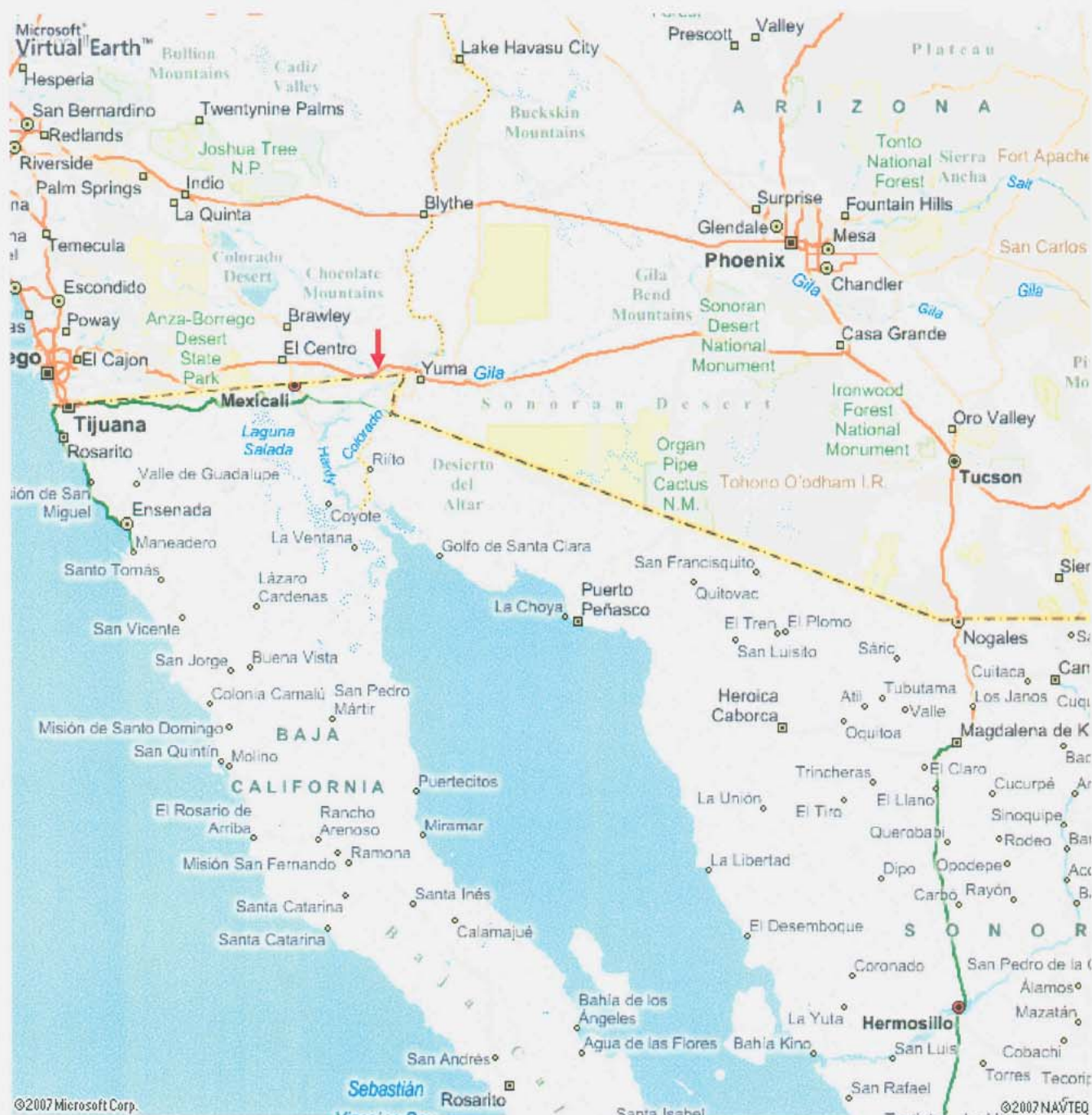


(b) (7)(E)



## Yuma Sector

MAP 1 of 7



The red arrow depicts the approximate geographic location of the incident site.



(b) (7)(E)

## Yuma Sector



MAP 2 of 7



The red arrow depicts the approximate geographic location of the incident site.



(b) (7)(E)

Yuma Sector



MAP 3 of 7

(b) (7)(E)

Aerial view of the Imperial Sand Dunes Recreational Area, the red circle depicts the incident area.



(b) (7)(E)

Yuma Sector



MAP 4 of 7

(b) (7)(E)

Overview of Incident Area.

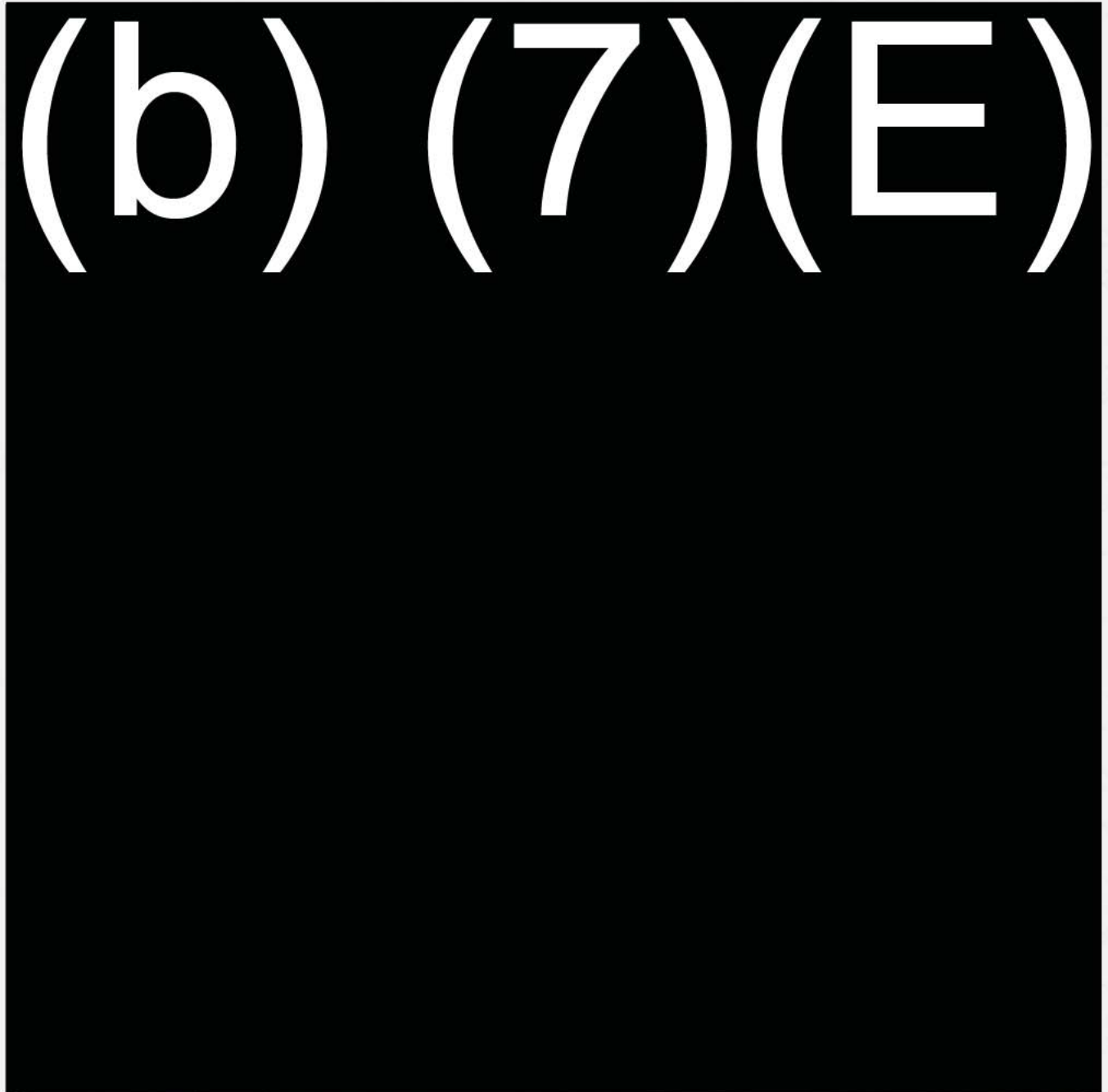


(b) (7)(E)

Yuma Sector



MAP 5 of 7



Close up overview of incident area.

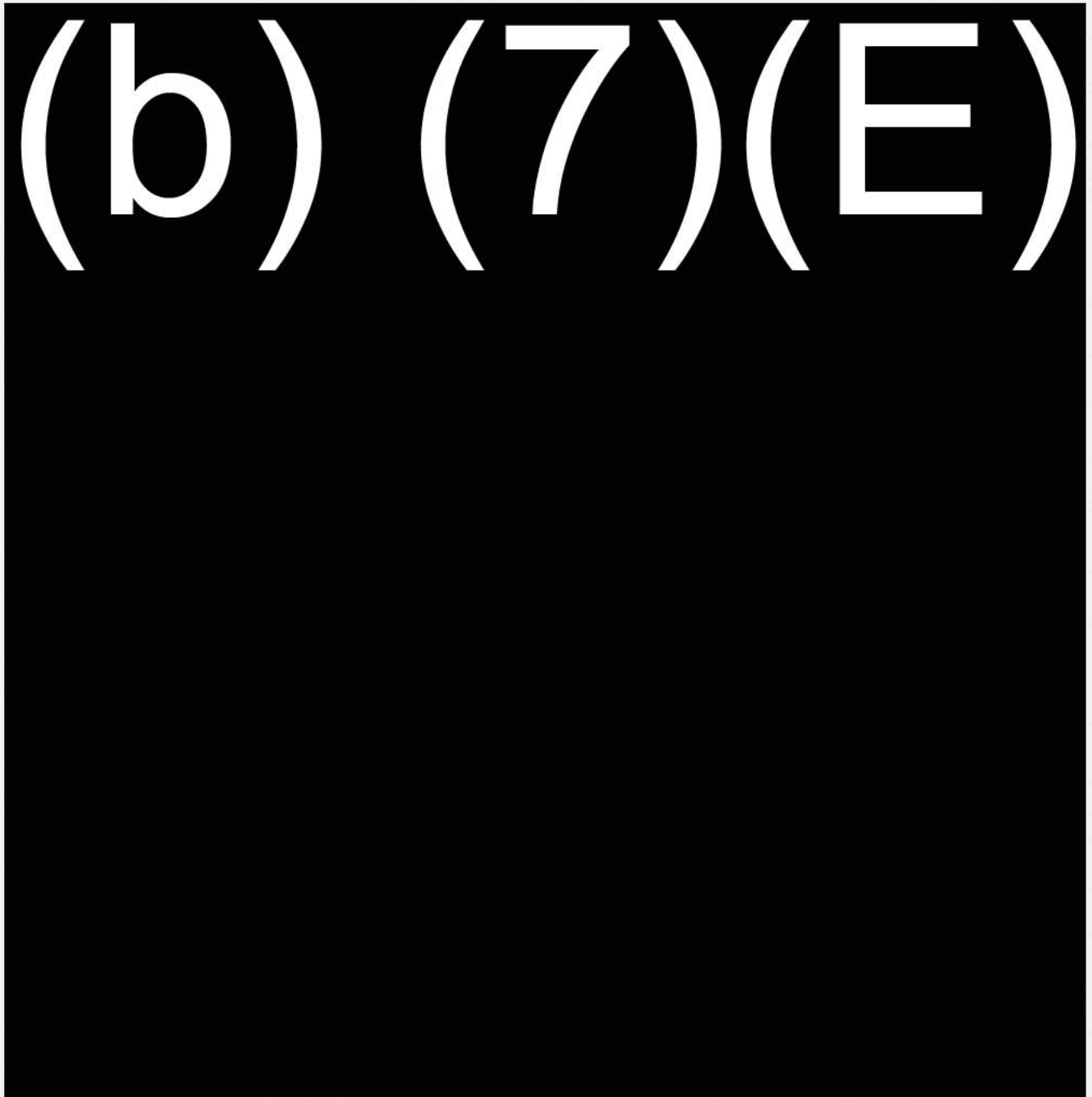


(b) (7)(E)

Yuma Sector



MAP 6 of 7



Close up view of location of attempted CTTD deployment.

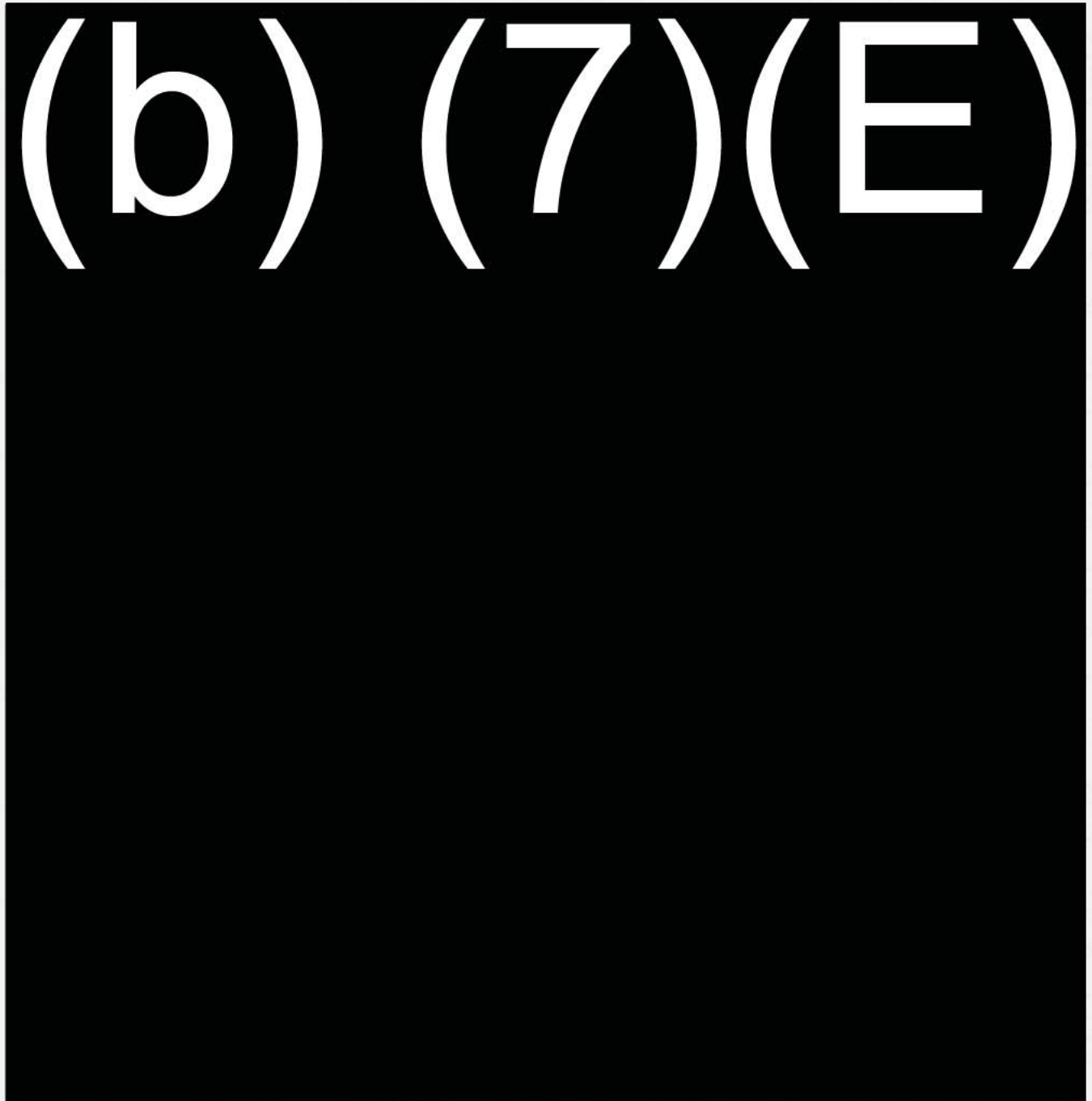


(b) (7)(E)

Yuma Sector



MAP 7 of 7



Close up view of location of attempted CTTD deployment.



(b) (7)(E)

Yuma Sector



	
(b) (7)(E)	
Drawn By	(b) (6), (b) (7)(C)
BPA	(b) (7)(E)
Date Drawn	Incident Date: 1/19/2008
Scale	Case (b) (7)(E)
Not to scale	

(b) (7)(E)



(b) (7)(E)

Yuma Sector



	
Drawn By	(b) (7)(E)
BPA	(b) (6), (b) (7)(C)
Date Drawn	Incident Date: 1/19/2008
Scale	Case (b) (7)(E)
Not to scale	

(b) (6), (b) (7)(C)

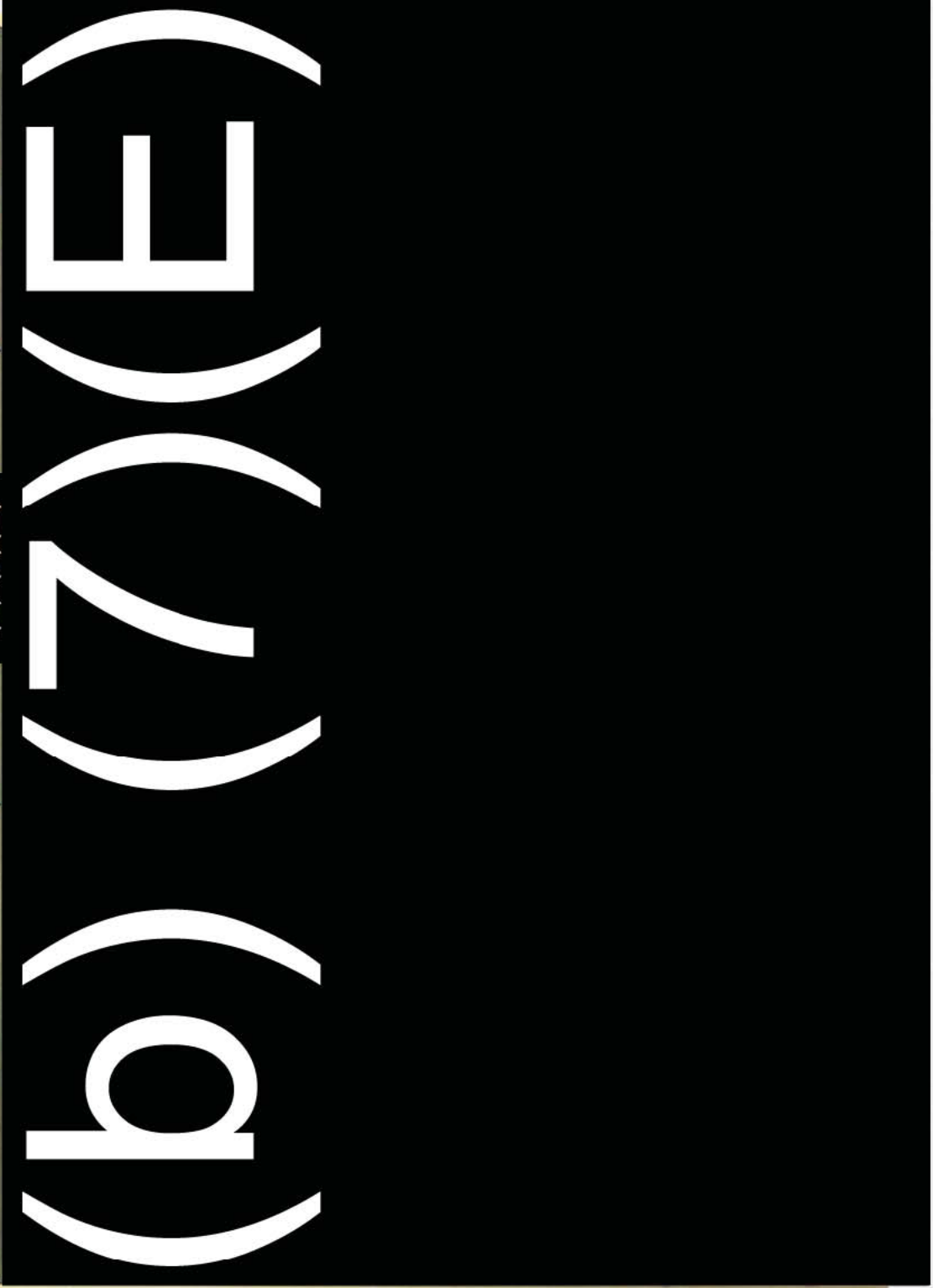


(b) (7)(E)

Yuma Sector



	
Drawn By	(b) (7)(E)
BPA	(b) (7)(E)
Date Drawn	1/19/2008
Scale	Not to scale
Location	(b) (7)(E)
Incident Date	1/19/2008
Case	(b) (7)(E)





(b) (7)(E)

Yuma Sector



## AGENT INFORMATION

Name:	Page:
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Border Patrol Agent (b) (6), (b) (7)(C)	15
Border Patrol Agent (b) (6), (b) (7)(C)	18
Supervisory Border Patrol Agent (b) (6), (b) (7)(C)	22



(b) (7)(E)

Yuma Sector



## AGENT INFORMATION

**Name:** Luis Alberto Aguilar

**Duty Station:** Yuma Station

**Call-sign ("Star" Number):** (b) (6), (b) (7)(C), (b) (7)(E)

**Date of Birth:** November 26, 1976

**Entered on Duty (Border Patrol):** July 21, 2002

**Entered on Duty (Station):** July 21, 2002

**Academy Class:** 519

**Social Security Number:** (b) (6), (b) (7)(C)

**Title:** Senior Patrol Agent

### Comments:

On January 19, 2008, AGUILAR was assigned to work overtime for the IMPACT unit during the (b) (7)(E) shift, in the Imperial Sand Dunes Recreational Area. AGUILAR was (b) (6), (b) (7)(C) which

(b) (7)(E) AGUILAR possessed his department issued firearm in a concealed holster along with two extra magazines in a pouch on his belt.



(b) (7)(E)

Yuma Sector



## AGENT INFORMATION

(b) (6), (b) (7)(C), (b) (7)(E)

**Name:**

**Duty Station:**

**Call-sign ("Star" Number):**

**Date of Birth:**

**Entered on Duty (Border Patrol):**

**Entered on Duty (Station):**

**Academy Class:**

**Title:** Border Patrol Agent

## Comments:

(b) (6), (b) (7)(C) was working overtime with the IMPACT Unit on January 19, 2008, in the ISDRA. (b) (6), (b) (7)(C), (b) (7)(E) and was assisting AGUILAR with the deployment of the CTDD, at the time of the incident. (b) (6), (b) (7)(C) was an eyewitness to the incident and was the first agent to begin rendering aid to AGUILAR.

## Synopsis:

(b) (6), (b) (7)(C) was interviewed by SA (b) (6), (b) (7)(C) of the Yuma FBI Office and SBPA (b) (6), (b) (7)(C) on January 21, 2008. The interview took place at the (b) (7)(E) Station, located at (b) (7)(E), Arizona.

See the attached FD-302 prepared by SA (b) (6), (b) (7)(C) regarding this interview: